Ontario

# Ministry of Labour
# Annual Report
# 1987/88

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# 1987/88

**Fiscal year ending**
**March 31, 1988**

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Ontario Ministry of Labour
Ministère du Travail de l'Ontario

Office of the Minister
Bureau du Ministre

400 University Avenue
Toronto, Ontario
M7A 1T7
416/965-4101

September 15, 1988

His Honour
The Lieutenant-Governor in Council

May it please Your Honour:

I have the privilege of presenting the 69th Annual report of the Ministry of Labour, which covers the financial year ending March 31, 1988.

The year was one of significant activity in all areas of the Ministry's mandate. In the area of Employment Standards, important amendments to the Employment Standards Act which provide wide-ranging new protections for workers affected by plant closures, layoffs and terminations were passed and granted assent by Your Honour.

In the area of workers' compensation, the Ministry was engaged in intensive preparations for the introduction on June 20 of Bill 162, which embodies fundamental and far-reaching measures to make the system more equitable and more responsive.

In the field of occupational health and safety, there were also significant advances. Among these were new law to implement the Workplace Hazardous Materials Information System, which comes into force across Canada on October 31, and preparations for additional amendments to the Occupational Health and Safety Act. These preparations included new and extensive consultations with both labour and management, in keeping with my expressed intention of involving the workplace parties more closely in the development of workplace policy.

**In sum, 1987-88 was a year of vigorous and productive effort. I wish to acknowledge, and express my gratitude for, the contribution of the Ministry's personnel towards the over-all result.**

**The Honourable Gregory Sorbara**
**Minister**

Ontario Ministry of Labour
Ministère du Travail de l'Ontario

Office of the Deputy Minister
Bureau du sous-ministre

400 University Avenue
Toronto, Ontario
M7A 1T7
416/965-4115

September 15, 1988

The Honourable Gregory Sorbara
Minister of Labour

Dear Mr. Sorbara:

I am pleased to submit for your consideration the annual report of the Ontario Ministry of Labour for the 1987-88 financial year.

Much of the work during the year involved ongoing consultations with the Ministry's primary clients in preparation for major legislative initiatives.

The wide range of challenges faced during the year were responded to in a manner that reflected the professionalism and commitment of the staff.

Respectfully submitted

Glenn R. Thompson
Deputy Minister

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# Acts Administered

| | Administered By |
|---|---|
| Crown Employees Collective Bargaining Act | Crown Employees Grievance Settlement Board and Ontario Public Service Labour Relations Tribunal |
| Employment Agencies Act | Employment Standards |
| Employment Standards Act | Employment Standards |
| Government Contracts Hours and Wages Act | Employment Standards |
| Hospital Labour Disputes Arbitration Act | Office of Arbitration |
| Industrial Standards Act | Employment Standards |
| Labour Relations Act | Labour Relations Board |
| Ministry of Labour Act | Main Office |
| Occupational Health and Safety Act | Occupational Health and Safety Division |
| One Day's Rest in Seven Act | Employment Standards |
| Pay Equity Act | Pay Equity Commission |
| Rights of Labour Act | Main Office |
| Workers' Compensation Act | Workers' Compensation Board |
| Workers' Compensation Insurance Act | Workers' Compensation Board |
| Blind Workmen's Compensation Act | Workers' Compensation Board |

# Some Facts and Figures on the 1987/88 Year *

| | |
|---|---|
| Expenditures | $107.4 million |
| Number of Staff at March 31, 1988 | 1,932 |

## Industrial Relations

| | |
|---|---|
| Conciliations Undertaken | 3,560 |
| Number of Employees Affected | 473,707 |
| Mediations Undertaken Where No Work Stoppage Was Involved | 848 |
| Number of Employees Affected | 100,578 |
| Mediations Undertaken Where Work Stoppage Was Involved | 244 |
| Number of Employees Affected | 29,308 |

## Employment Standards

| | |
|---|---|
| Number of Collections Made on Behalf of Employees | 11,327 |
| Number of Employees Benefited | 21,682 |
| Amount Collected | $10.3 million |
| Inquiries Handled | 1,054,693 |

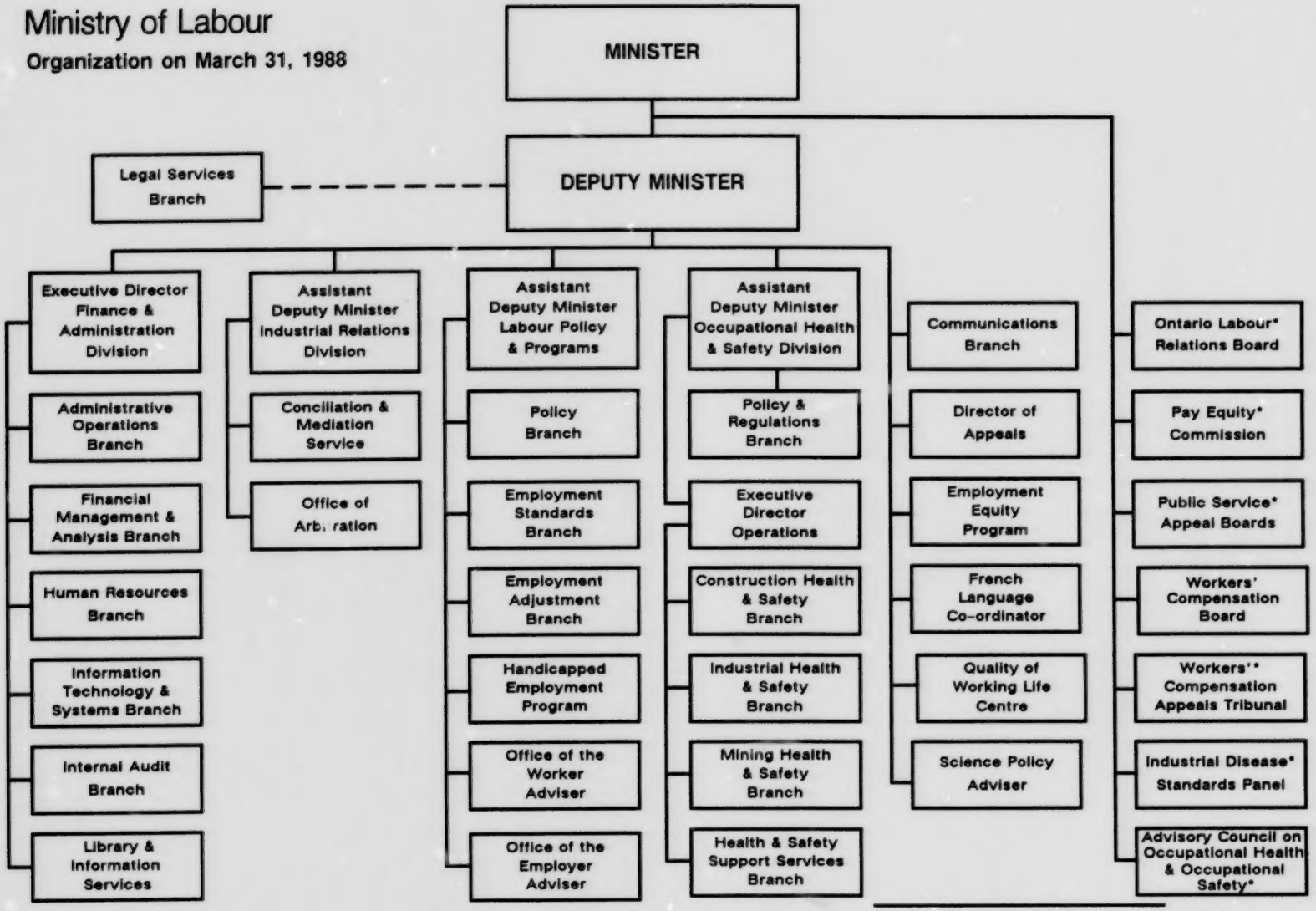
## Occupational Health and Safety

| | |
|---|---|
| Inspections Conducted | 69,377 |
| Orders Issued | 65,711 |
| Stop-work Orders Issued | 2,774 |
| Prosecutions Undertaken | 564 |
| Chest X-rays Conducted | 26,134 |
| Pulmonary Function Tests Performed | 24,142 |
| Laboratory Analyses Done | 93,712 |

* The provincial laws administered by the Ontario Ministry of Labour and the agencies, boards and commissions that report to the Legislative Assembly through the Minister of Labour, cover approximately 3.9 million workers at approximately 233,000 workplaces in Ontario. Federal law covers the approximately 430,000 workers in Ontario who work in federally-regulated sectors.

# Ministry of Labour

**Organization on March 31, 1988**


MINISTER
DEPUTY MINISTER
Legal Services Branch
Executive Director Finance & Administration Division
Administrative Operations Branch
Financial Management & Analysis Branch
Human Resources Branch
Information Technology & Systems Branch
Internal Audit Branch
Library & Information Services
Assistant Deputy Minister Industrial Relations Division
Conciliation & Mediation Service
Office of Arbitration
Assistant Deputy Minister Labour Policy & Programs
Policy Branch
Employment Standards Branch
Employment Adjustment Branch
Handicapped Employment Program
Office of the Worker Adviser
Office of the Employer Adviser
Assistant Deputy Minister Occupational Health & Safety Division
Policy & Regulations Branch
Executive Director Operations
Construction Health & Safety Branch
Industrial Health & Safety Branch
Mining Health & Safety Branch
Health & Safety Support Services Branch
Communications Branch
Director of Appeals
Employment Equity Program
French Language Co-ordinator
Quality of Working Life Centre
Science Policy Adviser
Ontario Labour* Relations Board
Pay Equity* Commission
Public Service* Appeal Boards
Workers' Compensation Board
Workers'* Compensation Appeals Tribunal
Industrial Disease* Standards Panel
Advisory Council on Occupational Health & Occupational Safety*

* Boards' and Commissions' staff are public servants whose duties, responsibilities and reporting relationships are governed by the *Public Service Act*.

# *Industrial Relations Division*

**L.V. Pathe**
**Assistant Deputy Minister**

The role of the Industrial Relations Division is to promote harmonious relations between employers and employees in order to help ensure a stable labour relations climate in the province by:

- Encouraging effective bargaining as contemplated by the *Labour Relations Act*
- Promoting peaceful settlements through conciliation and mediation services
- Providing, where necessary, preventive mediation assistance to labour and management during the term of a collective agreement
- Facilitating the processes of grievance and interest arbitration in accordance with the intention of the *Labour Relations Act* and the *Hospital Labour Disputes Arbitration Act*
- Collecting and analysing collective bargaining information for the use of the ministry and the industrial relations community.

The objective was pursued through Program Administration, the Research and Analysis Unit, the Ontario Conciliation and Mediation Service and the Office of Arbitration.

The assistant deputy minister is responsible for directing and co-ordinating the activities of the Industrial Relations Division.

**Construction Industry Advisory Board**

The Construction Industry Advisory Board has been established to advise the minister of issues of common concern to labour and management in the construction industry.

## Research and Analysis Unit

**L. Haywood**
**Chief Economist**

**Catherine Winter***
**Administrator**

The Research and Analysis Unit is responsible for collecting and providing information, data and analyses on all matters related to labour relations and collective bargaining. It maintains an up-to-date file of all collective bargaining agreements in Ontario through the operation of the Collective Agreements Library. It also supplies the Ontario Labour Relations Board and the Ontario Conciliation and Mediation Service with information on their case activities and with the statistical analyses necessary for them to evaluate their operations.

In 1987/88 the unit:

- Monitored an average of 382 board cases and 387 Conciliation and Mediation Services cases per month in order to collect and process information on a wide range of aspects
- Monitored approximately 300 work stoppages
- Helped over 5,000 visitors to obtain information from the 9,500 agreements on file in the Collective Agreements Library

* *Catherine Winter was appointed administrator on September 8, 1987.*

Answered more than 4,600 telephone requests for information

Published the following:

- 'Collective Bargaining Settlements and Negotiations in Ontario' (monthly)
- 'Wage Developments in Collective Bargaining Settlements in Ontario' (quarterly)
- 'Collective Agreements Expirations' (annually).

## Ontario Conciliation and Mediation Service

**Romain C. Verheyen***
**Director**

**Fraser Kean****
**Acting Associate Director**

The goal of the Ontario Conciliation and Mediation Service, which operates under the *Labour Relations Act*, is to foster harmonious labour relations by promoting peaceful settlements of collective bargaining disputes through conciliation and mediation and by providing preventive mediation assistance to labour and management during the term of a collective agreement.

In 1987/88:

Conciliation officers disposed of 2,880 assignments compared to 3,360 the previous year

680 cases were being dealt with by officers, compared to 637 in 1986/87

Negotiating parties reached agreement on 929 of the cases that were disposed of, although 202 of them involved a work stoppage

Mediators played a preventive role in 122 cases in 1987/88, compared to 75 cases in 1986/87

The branch introduced computers to improve its case management system and daily file processing system.

* *Romaine C. Verheyen was appointed director on September 1, 1987.*

** *Fraser Kean was appointed acting associate director on January 4, 1988.*

**Conciliation Applications Dealt with Under the Ontario Labour Relations Act (p)**

| | 1987/88 | | 1986/87 | |
|---|---|---|---|---|
| | **Disputes** | **Employees** | **Disputes** | **Employees** |
| Assignments Received by Officers | **3,560** | **473,707** | 3,997 | 386,805 |
| Carried from Previous Year | **637** | **65,431** | 745 | 64,940 |
| Assigned to Officer During Year | **2,923** | **408,276** | 3,252 | 321,865 |
| Assignments Disposed of by Officers | **2,880** | **403,193** | 3,360 | 321,374 |
| Settled by Officer | | | | |
| Construction | **80** | **571** | 202 | 8,710 |
| Non-construction | **868** | **83,353** | 834 | 60,040 |
| No board | | | | |
| Construction | **299** | **14,412** | 720 | 87,165 |
| Non-construction | **1,380** | **285,848** | 1,359 | 140,089 |
| Referred to Conciliation Board | | | | |
| Construction | **0** | **0** | 0 | 0 |
| Non-construction | **0** | **0** | 0 | 0 |
| Lapsed or Withdrawn | | | | |
| Construction | **20** | **352** | 57 | 3,024 |
| Non-construction | **233** | **18,657** | 188 | 22,346 |
| Assignments Pending at March 31 | **680** | **70,514** | 637 | 65,431 |

**Preventive Mediation Activity**

| | 1987/88 | | 1986/87 | |
|---|---|---|---|---|
| | **Situations** | **Employees** | **Situations** | **Employees** |
| Assignments Received by Officers | **217** | **62,249** | 184 | 31,977 |
| Carried from Previous Year | **95** | **20,514** | 109 | 24,756 |
| Assigned to Officers During Year | **122** | **41,735** | 75 | 7,221 |
| Assignments Disposed of by Officers | **149** | **35,880** | 89 | 11,463 |
| Assignments Pending at March 31 | **68** | **26,369** | 95 | 20,514 |

(p) Preliminary

**Remedial Mediation Activity (p)**

| | 1987/88 | | | | | | 1986/87 | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Total | | No Work Stoppage Involved | | Work Stoppage Involved | | Total | | No Work Stoppage Involved | | Work Stoppage Involved | |
| | Disputes | Employees | Disputes | Employees | Disputes | Employees | Disputes | Employees | Disputes | Employees | Disputes | Employees |
| Assignments Received by Officers | 1,092 | 129,886 | 848 | 100,578 | 244 | 29,308 | 1,109 | 194,515 | 814 | 146,127 | 295 | 48,388 |
| Carried Over From Previous Years | 205 | 12,822 | 120 | 2,709 | 85 | 10,113 | 121 | 10,535 | 91 | 8,881 | 30 | 1,654 |
| Assigned to Officers During Year | 887 | 117,064 | 728 | 97,869 | 159 | 19,195 | 988 | 183,980 | 723 | 137,246 | 265 | 46,734 |
| Assignments Disposed of by Officers | 956 | 115,289 | 741 | 89,070 | 215 | 26,129 | 904 | 181,693 | 655 | 137,248 | 249 | 44,445 |
| Settled During Mediation | 726 | 98,581 | 598 | 79,785 | 128 | 18,796 | 697 | 154,059 | 515 | 119,420 | 182 | 34,639 |
| Settled Following Mediation Assistance | 203 | 15,494 | 129 | 8,634 | 74 | 6,860 | 159 | 25,669 | 102 | 16,403 | 57 | 9,266 |
| Arbitration | 3 | 145 | 2 | 130 | 1 | 15 | 15 | 758 | 11 | 475 | 4 | 283 |
| Lapsed | 11 | 420 | 6 | 280 | 5 | 140 | 28 | 997 | 24 | 813 | 4 | 184 |
| Closed by Mediator, No Further Action by Parties | 13 | 649 | 6 | 241 | 7 | 408 | 5 | 210 | 3 | 137 | 2 | 73 |
| Assignments Pending at March 31 | 136 | 14,597 | 107 | 11,508 | 29 | 3,089 | 205 | 12,822 | 159 | 8,879 | 46 | 3,943 |

(P) Preliminary

## Office of Arbitration

**Jean M. Read**
**Director**

The Office of Arbitration assists the minister in carrying out his statutory responsibilities for constituting boards of arbitration and appointing single arbitrators under the *Labour Relations Act* and the *Hospital Labour Disputes Arbitration Act*. The office is responsible for the receipt and processing of requests from employers and trade unions for the appointment of arbitrators and nominees to boards of arbitration. This includes identifying individuals qualified to act under ministerial appointment, providing administrative services to arbitrators, monitoring the progress of arbitration proceedings and cataloguing arbitration awards for public availability. In association with the Minister of Labour's Labour-Management Advisory Committee, which advises the minister on matters pertaining to arbitration, the office maintains a roster of arbitrators and is actively involved in the training of prospective arbitrators. Through its staff of grievance mediators, the Office of Arbitration also provides labour and management with grievance mediation assistance.

The Office of Arbitration also has responsibility for co-ordinating appeals under the *Employment Standards Act* and, until September 29, 1987, boards of inquiry pursuant to the *Human Rights Code*.

The Office of Arbitration's activities in 1987/88 included:

The appointment by the minister, under section 40(a) of the *Labour Relations Act* and at the request of trade unions attempting to establish new collective agreements, of two nominees to represent employers on boards of arbitration and one arbitrator to chair a board

The involvement of the minister in the appointment, under section 44 of the *Labour Relations Act*, of 392 arbitrators for parties experiencing difficulty establishing a board of arbitration under the terms of a collective agreement

Supplying, on 410 occasions, lists of five arbitrators at the request of parties to assist them to reach mutual agreement in the appointment of an arbitrator under section 44 of the *Labour Relations Act*

The appointment by the minister, under section 44 of the *Labour Relations Act*, of four nominees to represent the other side on a board of arbitration

Providing, in 986 cases, the services of grievance mediators under section 44 of the *Labour Relations Act* to parties proceeding to arbitration under the Collective Agreement. Of this number, 799 were resolved. The settlement rate in this area was 81 per cent.

Receiving 3,138 requests for the appointment of single arbitrators under section 45 of the *Labour Relations Act*, of which, 1,717 appointments were made by the minister

Resolving 1,216 of 1,714 disputes under section 45 of the *Labour Relations Act* prior to hearing, for a settlement rate of 71 per cent

The involvement of the minister in the appointment, under the *Hospital Labour Disputes Arbitration Act*, of 110 arbitrators for parties in the health care field experiencing difficulties in establishing boards of arbitration to make or renew a collective agreement

Supplying, on 128 occasions, lists of five arbitrators at the request of parties to assist them to reach mutual agreement in the appointment of an arbitrator under the *Hospital Labour Disputes Arbitration Act*

The appointment by the minister under the *Hospital Labour Disputes Arbitration Act*, at the request of parties to a dispute, of two nominees to represent the other side on a board of arbitration

The appointment, under the *Employment Standards Act*, of 100 referees through the Office of Arbitration to hear appeals against Orders to Pay issued by the Employment Standards Branch

The involvement of the minister in the appointment, under the *Human Rights Code*, of 59 boards of inquiry at the request of the Ontario Human Rights Commission

Receiving and cataloguing 2,077 awards during fiscal 1987/88. Awards in the amount of 21,914 pages were purchased by the public.

Ten people were invited to attend the sixth Arbitrator Development Program, which commenced in April 1987. The program comprised two workshops and an eight-month internship period. Following completion of the program, six people were added to the minister's list of approved arbitrators.

The caseload of the Office of Arbitration is more particularly described in the two tables below.

**Arbitration Activities**

| | 1987/88 | | | | | | | 1986/87 | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Employ. Stds. Appeals | Human Rights Bds. of Inquiry | Hospital Labour Disputes Arb. Act | Labour Relations Act S.40(a) | S.44 | S.45* | Total | Employ. Stds. Appeals | Human Rights Bds. of Inquiry | Hospital Labour Disputes Arb. Act | Labour Relations Act S40(a) | S.44 | S.45* | Total |
| *Applications/Requests:* | | | | | | | | | | | | | | |
| Carried Over From Previous Year | 78 | 39 | 224 | 0 | 494 | 901 | 1,736 | 116 | 62 | 225 | 0 | 427 | 661 | 1,491 |
| Received During Current Year | 123 | 64 | 253 | 4 | 582 | 3,138 | 4,164 | 146 | 54 | 278 | 1 | 789 | 3,044 | 4,312 |
| Closed | 118 | 69 | 276 | 3 | 740 | 3,425 | 4,631 | 184 | 77 | 279 | 1 | 722 | 2,804 | 4,067 |
| Outstanding at Year End | 83 | 34 | 201 | 1 | 336 | 614 | 1,269 | 78 | 39 | 224 | 0 | 494 | 901 | 1,736 |
| *Breakdown of Activities:* | | | | | | | | | | | | | | |
| Arbitrators/Referees Appointed or Arranged | 100 | 59 | 110 | 1 | 392 | 1,717 | 2,379 | 133 | 59 | 104 | 0 | 381 | 1,704 | 2,381 |
| Nominees Appointed | x | x | 2 | 2 | 4 | x | 8 | x | x | 3 | 1 | 14 | x | 18 |
| Panels Provided | x | x | 128 | x | 410 | x | 538 | x | x | 115 | x | 462 | x | 577 |
| Applications/Requests Awards Filed | 96 | 63 | 117 | 0 | 1,136 | 665 | 2,077 | 154 | 37 | 141 | 0 | 1,141 | 660 | 2,133 |
| Total Awards Purchased (# of Pages) | x | x | x | x | x | x | 21,914 | x | x | x | x | x | x | 40,195 |

* *Expedited grievance arbitration.*

**LEGEND:** **0 = NO ACTIVITY**
**X = NOT APPLICABLE**

**Mediation Activities**

| | 1987/88 | | | 1986/87 | | |
|---|---|---|---|---|---|---|
| | Labour Relations Act (rights disputes) | | | Labour Relations Act (rights disputes) | | |
| | S.44 | S.45* | Total | S.44 | S.45* | Total |
| Mediation Assignments: | | | | | | |
| • carried over from previous year | **165** | **14** | **179** | 157 | 49 | 206 |
| • made during current year | **967** | **1,801** | **2,768** | 938 | 1,699 | 2,637 |
| • assignments completed | **986** | **1,714** | **2,700** | 930 | 1,734 | 2,664 |
| • outstanding at year end | **146** | **101** | **247** | 165 | 14 | 179 |
| • mediation settlements | **799** | **1,216** | **2,015** | 739 | 1,191 | 1,930 |
| • percentage of settlements/ assignments completed | **81%** | **71%** | **75%** | 79% | 69% | 73% |

* *Expedited grievance arbitration*

# *Occupational Health and Safety Division*

**T.J. (Tim) Millard, B.Sc., M.Sc.***
**Assistant Deputy Minister**

**Arthur Gladstone, B.A., M.A., M.Sc.****
**Executive Director, Operations**

The Occupational Health and Safety Division seeks to improve worker health and safety in Ontario workplaces by:

Identifying and reducing occupational risks

Providing an information, policy and legislative base that will facilitate and necessitate mutual and co-operative efforts of the workplace parties to reduce occupational health and safety risks

Advising, educating or training (as appropriate) all parties with respect to rights, duties and responsibilities under the legislation.

*1987/88 Activities*

The division administers the *Occupational Health and Safety Act* and regulations made under the Act for: construction projects; mines and mining plants; industrial establishments; teachers and university academics; X-ray safety; offshore oil and gas drilling; firefighters' protective equipment; the inventory of chemical or biological agents for the purpose of identifying new agents being manufactured, imported or distributed; and 12 regulations for the control of exposure to toxic substances that have been designated under section 41 of the Act.

The division has been anticipating right-to-know legislation, scheduled to come into effect on October 31, 1988. Bill 79, amending the *Occupational Health and Safety Act*, will ensure that workers and the community are aware of the hazardous substances in their workplaces. As well, the federal government is expected to pass amendments to the *Hazardous Products Act* and the *Hazardous Materials Information Review Act*.

The ministry established three tripartite committees to review the Workplace Hazardous Materials Information System regulations, to develop an inventory and to develop hazardous physical agents regulations. A joint steering committee for the regulation of hazardous substances was established, comprising an equal number of representatives from labour and management. This committee is chaired by the assistant deputy minister.

During 1987/88 the Occupational Health and Safety Division underwent significant changes in its organizational structure. The Policy and Regulations Branch and the Prevention and Promotion Unit were created. The Designated Substances Enforcement Unit, the Special Studies and Services Branch, and the Standards and Programs Branch were disbanded and their staffs re-assigned. The Occupational Health Branch was restructured and renamed the Health and Safety Support Services Branch. The Occupational Health and Safety Advisory Service was

* *T.J. (Tim) Millard was appointed assistant deputy minister on July 27, 1987.*

** *Arthur Gladstone was appointed executive director, operations, on November 2, 1987.*

transferred to this division from the Industrial Relations Division.

The division upgraded its capability to machine-process information with the installation of computers in a number of offices.

The following initiatives relating to division operations were completed: a draft regulation to cover workers engaged in the onshore drilling of oil and gas wells; a revised prosecution procedure; a revised orders policy and orders procedure; a notification prior to inspection policy and procedure; a crossing picket lines policy and procedure; an inspector access to workplace policy and procedure; a coroner's inquests and jury recommendation policy and procedure; a spills policy and procedure; and a variance approvals policy, procedure and form for the Regulation respecting Asbestos in Buildings, on Construction Projects and in Repair Operations.

The division also participated in a federal/provincial committee struck to develop recommendations to improve worker health and safety in the fishing industry.

The division published four editions of *Onsite*, its internal newsletter.

## Areas Reporting to the Assistant Deputy Minister

Under the new structure of the Occupational Health and Safety Division, two services and one unit now report to the assistant deputy minister. These are the Information and Administrative Services Section, the Program Analysis and Evaluation Services Section, and the Prevention and Promotion Unit.

The newly created Prevention and Promotion Unit itself is comprised of the Occupational Health and Safety Advisory Service Section, the Division Training Unit and the Advisory Service on Occupational Health and Safety Section.

The Occupational Health and Safety Advisory Service Section was formerly in the Industrial Relations Division; the Division Training Unit previously reported to the assistant deputy minister; and the Advisory Service on Occupational Health and Safety Section was in the division's former Standards and Programs Branch.

### Information and Administrative Services Section

This section provides the division with centralized services that include: co-ordination of systems development, support of existing line branch computer systems, word-processing/desk-top publishing, editing and publications control.

In 1987/88, this section:

Co-ordinated the Division Management Information System Study

Continued to provide support to the line branches by: maintaining the editing, coding and processing functions of Inspection Reports, Notice of Projects and Employer's Report of Accidental Injury or Industrial Disease; maintaining the Industrial, Construction and Mining Health and Safety Branches' filing systems; and providing information to the inspectorate for follow-up on inspections and investigations

Continued to provide technical and administrative support to various units within the Occupational Health and Safety Division, the ministry and external forces through the operation of

a word-processing/desk-top publishing centre

Continued to edit, prepare, co-ordinate for publication and distribute all occupational health and safety materials for the division and external task forces, including acts, regulations, guides, background documents and survey reports

Continued to maintain an Information Issues System by recording and distributing contentious issues relating to occupational hazards

Continued to maintain an inventory control system of division publications and forms used by the inspectorate, division staff and the general public.

**Program Analysis and Evaluation Services Section**

In 1987/88, this section:

Co-ordinated the development and preparation of the 1988/89 estimates planning submission for the Occupational Health and Safety Division

Continued to assist in and co-ordinate the development and preparation of improved Managing By Results (MBR) objectives, indicators and measures for all program areas in the division

Participated in the ministry's development of Operational Work Plans and co-ordinated the division's Operational Work Plans

Assisted in the redeployment of human and financial resources as a result of the division's reorganization

Co-ordinated the preparation of accommodation requirements for the head office and field

Participated in the Industrial Health and Safety Branch Task Force on Employers' Reports of Accidental Injury or Industrial Disease, and in preparing revisions to that branch's Business System

Provided statistical/planning assistance on special projects, such as the development of improved prosecution statistics compilation and the reconciliation of firms on WCB and IHSB computer systems

Provided assistance to division branches for ongoing fiscal planning, budgeting review, purchase/use of computer equipment and workload issues.

**Prevention and Promotion Unit**

This newly created unit is comprised of three areas: the Occupational Health and Safety Advisory Service Section, the Division Training Unit and the Advisory Service on Occupational Health and Safety Section.

*Occupational Health and Safety Advisory Service Section*

The Occupational Health and Safety Advisory Service Section assists the minister in the matter of disputes concerning joint health and safety committees under section 8(14) of the *Occupational Health and Safety Act*.

The service also receives requests for assistance from the workplace parties and the inspectorate branches of the Occupational Health and Safety Division.

In the role of a neutral third party, the adviser assists to resolve labour relations and health and safety disputes and to form or establish joint health and safety committees and health and safety programs. Terms of reference for the structure and functioning of committees

are jointly developed and agreed upon. Participants in the program usually attend seminars designed to build teamwork, self-reliance and harmonious relationships within the group. Joint training with regard to the *Occupational Health and Safety Act* is also provided.

| Caseload | 1987/88 | 1986/87 |
|---|---|---|
| Cases Handled by Advisers | 143 | 82 |
| Carried Over from Previous Year | 27 | 11 |
| Cases Received and Completed | 49 | 44 |
| Cases Active at Year End | 67 | 27 |

*Division Training Unit*

The Division Training Unit is responsible for planning, developing and delivering division-wide training programs and co-ordinating the development of branch training programs.

In 1987/88, the unit:

Trained 109 field staff in the Occupational Health Fundamentals course and 176 field staff in the Designated Substances Regulations program

Developed and delivered to 98 new field staff training programs on division orientation, the *Occupational Health and Safety Act* and division policies and procedures

Presented training courses and briefing sessions on health-related subjects, regulations dealing with hazardous substances, and other topics

Made presentations on the *Occupational Health and Safety Act* to other provincial ministries

Produced four video communication programs dealing with issues concerning the Occupational Health and Safety Division and eight videotapes for training purposes.

*Advisory Service on Occupational Health and Safety Section*

Continued to provide secretariat, policy and administrative support to the allocation of transfer payment funds, including grants for human resource training and development, applied research projects and student bursaries

Continued to participate actively in the Small Firms Committee looking into the occupational health and safety needs of small business

Continued to participate in the Tri-Ministerial Advisory Committee on Occupational Health and Safety. The committee functions as an advisory body to the Ontario Council of Regents

Participated on the Ministry Curriculum Committee that developed the outlines of core and specialty training programs for delivery to the division line branch inspectorate

Participated as a working member of the Mining Education Review Committee (Ross Committee) and provided recommendations to the premier and acting minister of Northern Development and Mines on the future education and training needs of Ontario's metal and industrial mining and milling industry

Participated as a member of the implementation task team on organizational renewal for the Occupational Health and Safety Division

Participated as co-chairman of the ministry's head office joint health and safety committee

Participated on the steering committee for the LAMP Community Health Centre's occupational health and safety project conducted in conjunction with the Ministry of Health

Participated on the interministerial committee investigating matters relating to illiteracy and English as a second language

Participated on the steering committee for the Canada Safety Council annual conference

Provided liaison and consultation with Ontario ministries on education/training and matters pertaining to the *Occupational Health and Safety Act*

Provided responses to inquiries from other jurisdictions on training, education and legislation

Delivered public presentations on the *Occupational Health and Safety Act*

Continued to offer seminars and in-class presentations to students

Co-ordinated and staffed information displays and booths at conventions, conferences and public exhibitions

Maintained close liaison with the provincial resource centres and other organizations involved in training, education and services in occupational health and safety

Served on advisory committees at several community colleges and universities

Provided consultation to, and co-ordinated funding for, Cambrian College's Centre for Ground Control

Continued to maintain liaison with the Occupational Health and Safety Education Authority and working relationships with safety associations

Continued to provide support for external consultants regarding the delivery of information to minority language workers with respect to the *Occupational Health and Safety Act* and regulations

Provided advisory assistance to the ministry's Future Building '88 Program aimed at educating high school students throughout the province on matters of health and safety with regard to the construction industry

Developed the Small Contractors Awareness Program to help reduce the incidence of occupational injury and illness among workers involved in construction projects.

## Policy and Regulations Branch

**Director: Vacant at March 31, 1988**

The newly created Policy and Regulations Branch, which reports to the assistant deputy minister, is comprised of four areas: the Health Studies Service Section, the Strategic Policy Unit, the Program Development Unit, and the Safety Regulations Unit.

The Health Studies Service Section was previously part of the former Special Studies and Services Branch. The Strategic Policy Unit and the Program Development Unit previously reported to the assistant deputy minister. The Safety Regulations Unit carries out work previously performed by the Industry Sector Programming Unit.

The Policy and Regulations Branch was created as a result of the recommendations of the McKenzie/Laskin Report. Areas within the newly formed branch continue to take shape.

### Health Studies Service

The Health Studies Service supports the programs of the Occupational Health and Safety Division and the provincial Ministry of the Environment. Upon request, support has also been provided to other ministries and agencies, e.g. Solicitor General, Housing, and Health; the Workers' Compensation Board; and, co-operatively, to the Atomic Energy Control Board and various federal/provincial committees.

Support is supplied by the provision of advice on, and research into, conditions that could result in occupational and environmental health hazards.

In 1987/88, the service:

Provided technical advice for the development of divisional regulatory strategies related to designated substances

Prepared eight health effects documents, on:

- PCBs
- Nickel
- Update of Lead Document
- Epoxy Resins
- Benzidine Congener Dyes
- Welding Fumes
- Beryllium
- Update of Asbestos Document

Prepared health-based exposure limits for substances proposed for designation, and recommended clinical tests to be used in the medical surveillance programs

Undertook multi-disciplinary research and studies of factors that contributed to occupational diseases:

- The study of the mortality of Ontario miners was continued with the release of a report on the occupational factors influencing the lung cancer risk in uranium miners
- A study of a cluster of cancer cases in a biological research station was completed
- A study of reproductive outcomes among employees in a reinforced plastics plant was conducted
- A study of the excretion of arsenic by miners in a gold mine was completed

- A study of the possible role of a solvent in the development of neurological disease in a small manufacturing plant was completed
- Reports on studies of lung cancer among employees in two asbestos pipe-manufacturing plants were completed

Wrote an initial AIDS policy for the Ministry of Labour and acted as consultants in the development and completion of the policy

Prepared recommendations for ambient standards and guidelines for 37 chemicals for the Air Resources Branch of the Ministry of the Environment

Sat on an interministerial committee on the possible health hazards to workers handling animals in research institutions. A report was issued

Sat representing the Ministry of Labour on the Interministerial Committee on AIDS

Sat on a committee preparing a document on the risk of AIDS and other blood-borne infections in facilities for the developmentally handicapped.

**Strategic Policy Unit**

The Strategic Policy Unit identifies and develops strategic policies and priorities for the division and the development of division-wide policies. The unit is also responsible for performing statistical analyses on data bases relating to workplace injury and illness and, until November 1987, for maintaining liaison with other occupational health and safety agencies.

In 1987/88 the unit:

Participated in the development and passage of Bill 79, an *Act to Amend the Occupational Health and Safety Act*, to enable Ontario to implement the Workplace Hazardous Materials Information System (WHMIS), also referred to as 'right-to-know'

Continued participation in the pan-Canadian committee to develop the federal legislation being amended: the *Hazardous Products Act* (Bill C-70), the Controlled Products Regulations and the Hazardous Materials Information Review Regulations pursuant to the *Hazardous Materials Information Review Act* (part of Bill C-70)

Participated in the development of a pan-Canadian basis of WHMIS Model OSH regulation, and in the development of Ontario WHMIS regulation based on Model OSH regulation

Developed a policy document for WHMIS Model OSH regulation

Participated in the ministry's WHMIS Implementation Task Force

Spoke to client groups and responded to enquiries from the public to increase awareness of WHMIS

Liaised with medical officers of health and fire departments on involvement with community right-to-know

Reviewed the Report to the Occupational Health and Safety Education Authority by ARA Consultants

Reviewed the proposed federal *Environment Contaminants Act* (Bill C-74) and relationship to notification of new chemicals under Ontario legislation

Provided assistance to the Agricultural Health and Safety Implementation Committee

Participated in the development of proposed amendments to the *Occupational Health and Safety Act*

Continued participation in a provincial interministry committee to develop options for a government policy on biotechnology

Prepared background materials for meetings of officials responsible for occupational health and safety

Reviewed Regulation respecting Control of Exposure to Biological or Chemical Agents (O.Reg. 654/86) and participated in development of proposed amendments for review by senior officials

Drafted a guidebook for client groups to Regulation respecting Control of Exposure to Biological or Chemical Agents (O.Reg. 654/86)

Prepared the Ontario government's response to the ILO's text on 'Safety and Health in Construction' and responded to health and safety questions in an ILO questionnaire on the metal trade industry

Prepared and developed policy on radon in homes, for consideration by senior officials

Participated in an interministry committee on indoor air quality

Prepared terms of reference for study on the *Occupational Health and Safety Impact of Present and Short Terms Changes in the Economic Sector*

Developed an options paper on mandatory back-up alarms on commercial vehicles

Reviewed the Standards Council of Canada's document: *Incorporation of Standards by Reference in Regulations — Guidelines for Regulatory Authorities*; and Manitoba's *Occupational Health Services Final Report*

Reviewed policies and standards from other jurisdictions, including other Canadian jurisdictions, the United States, the United Kingdom and Sweden

Organized programs for visitors to Ontario from other jurisdictions

Continued research and analysis of work-related injury statistics, extending the work Injury Information System

Prepared options papers on wood dust and on the division's involvement with the WCB's First-Aid Regulation

Updated the paper, 'Provision of Occupational Health Services in Ontario'.

**Program Development Unit**

The Program Development Unit consists of an economic analysis group and two teams of occupational health hazards analysts working under project managers.

The principal responsibilities of the health hazards analysts are to provide background information for, and to co-ordinate the development of, regulations for hazardous substances (including designated substance regulations). The analysts also develop guidebooks and data sheets to assist the inspectorate and the public in the implementation of the regulations.

In 1987/88, the unit:

Published proposed amendments to the Asbestos Regulation

Began work on the development of proposed amendments to the X-Ray Safety Regulation and the Regulation of Asbestos on Construction Projects and in Buildings and Repair Operations

Began work on the development of a proposed regulation for coal tar products

Continued work on the proposed regulations for chromium, cadmium, formaldehyde, noise, polychlorinated biphenyls (PCBs), styrene, welding and cutting fumes and gases; on the proposed amendments to the Asbestos Regulation; on the proposed regulation for silica on construction projects and in aggregate production; and on the following proposed regulations for the construction industry: coal tar products, chromium, isocyanates and lead

Completed a comprehensive review of the provisions of the designated substance regulations

Held discussions with the Advisory Council on Occupational Health and Occupational Safety on the proposed amendment to the Mercury Regulation and the proposed regulation for silica on construction projects and in aggregate production

Worked on the development of a proposed control strategy for beryllium, chlorophenols and nickel

Continued to develop background information on epoxy resins and noise in the trucking industry, and commenced such work for brazing and soldering

In association with representatives from the dental professions, completed a review of mercury exposure in dental offices and commenced an evaluation of nitrous oxide exposure in dental offices

In association with the Construction Safety Association of Ontario, collected background information on the control of exposure to noise in the construction industry, completed a contractor's project to assess occupational exposure to welding fumes in the construction industry and began the development of a proposed regulation for wood preservatives in the construction industry

Began work on the development of educational material on exposure to wood dust and to asbestos

Completed a consultant's study to provide background information on worker exposure to beryllium. Commenced and completed a consultant's project on an assessment of occupational exposure to chlorophenols

Completed training of inspectorate for the implementation of the Ethylene Oxide Regulation and began work on assisting in the training of new inspectorate on the regulations for Asbestos, Asbestos on Construction Projects and in Buildings and Repair Operations, Lead, Silica, Mercury and Isocyanates

Distributed explanatory guides for the designated substance regulations for Acrylonitrile, Isocyanates and Asbestos on Construction Projects and in Buildings and Repair Operations

Continued the production and update of data sheets and explanatory guidelines for designated substances

Provided administrative and technical support to the newly established bipartite Joint Steering Committee on Hazardous Substances in the Workplace

*Economic Analysis Section*

The Economic Analysis Section participates in the regulation-making process by providing information on compliance costs and benefits, and assessments of the potential economic impact of proposed regulations on affected industrial sectors

In 1987/88, the section:

Completed an economic impact assessment of the proposed regulation respecting workplace noise

Prepared a preliminary report on the potential economic impact of the proposed regulation respecting welding and cutting fumes and gases

Prepared a draft project proposal for a consultant's study that would determine the technological feasibility and costs of compliance with measures that might be proposed to control worker exposure to coal tar products, and would assess the potential economic implications and consequences for affected industry sectors

Continued to develop background information and consultations with interested parties on the financial implications for small businesses in complying with designated substance regulations

Participated in the program of studies being conducted by the Ministry of the Environment to determine the economic implications of the MISA program (water quality control) and revisions to Regulation 308 (air pollution control)

Produced quarterly statistical analyses of labour market conditions and work injury statistics.

*Designated Substances Enforcement Unit**

The role of the Designated Substances Enforcement Unit (DSEU) is to improve the administration and enforcement of the designated substance regulations (DSRs).

In 1987, the unit:

Provided guidance and advice, on request, to the inspectorate, to management and to workers regarding the provisions of the DSRs

Carried out telephone consultations with the inspectorate and workplace parties regarding the provisions of the DSRs

Reviewed company files regarding compliance with the DSRs

Assisted in mediation of disputes regarding the provisions of the DSRs

Assisted the Mining Health and Safety Branch prepare for submission to the Legal Services Branch a prosecution under the Regulations for Mines and Mining Plants

Carried out in-depth investigations of alleged contraventions of the Regulation respecting Asbestos on Construction Projects and in Buildings and Repair Operations (654/85) at the request of the Construction Health and Safety Branch

Delivered training lectures and on-the-job training to Construction Health and Safety Branch inspectors, regarding the use of respirators and the provisions of the Regulation respecting Asbestos on Construction Projects

Helped the Construction Health and Safety Branch to develop an approval procedure for Variances to the Asbestos Construction Regulation and to review applications made under this regulation

Made recommendations for changes to the DSRs to improve their administration and enforcement

Gave lectures and speeches to students, the inspectorate and client groups regarding the Act and the DSRs

Monitored compliance with designated substance regulations and the number of outstanding orders under those

* *On September 1, 1987, the services provided by the Designated Substances Enforcement Unit were transferred to the inspectorate of the line branches.*

regulations in industrial and mining workplaces

Selected for special investigation workplaces appearing to be in non-compliance with the DSRs

Reviewed all notices of projects for asbestos removal jobs.

*Engineering Controls Section*

In 1987/88, the section:

Continued to conduct engineering field surveys to assess the ability of industry to control exposures to hazardous substances by means of engineering controls

Conducted a project on nitrosamines in metal-working operations

Completed a field survey of Ontario hospitals, cancer clinics and university research laboratories and a draft guidelines document for the handling of antineoplastics in biological safety cabinets

Prepared an Information Note on biotechnology application in industry for use by ministry inspectorate.

**Safety Regulations Unit**

In 1987/88, the unit:

Distributed for public comment a proposed regulation for health care facilities, and compiled a compendium of the comments received. The proposed regulation was developed by the Health Care Occupational Health and Safety Regulation Development Committee, which was established by the minister for this purpose; it comprises labour and management representatives from the health care sector

Analysed briefs received on the proposed regulation respecting window cleaning and the proposed regulation for roll-over protective structures, and developed explanatory guides for both regulations

Participated in the review of amendments to the regulation for Construction Projects

Published proposed revisions to regulations addressing electrical hazards, and held meetings with management and labour representatives to discuss these revisions

Finalized development of a breathing apparatus regulation for fire fighters

Consulted with and provided technical support to the fire fighters' committee, and developed an information bulletin on metabolic heat for use by fire fighters

Participated in the development of plans to implement recommendations of the Ontario Task Force on Health and Safety in Agriculture

Participated in the development of standards for women's protective footwear

Assisted the line branches by analysing workplace injuries by sector to improve targetting of inspectorate activities

Provided technical consultations and made presentations on personal protective equipment to assist division staff and the public

Continued to update the operations manuals for the Industrial, Construction and Mining Health and Safety branches.

## Health and Safety Support Services Branch

**Peter L. Pelmear, MD, FFOM, CCBOM**
**Director**

The objective of the Health and Safety Support Services Branch is to identify and reduce the risk of worker injury in the Ontario workplace through the contribution of expert knowledge on the recognition, evaluation and control of occupational health hazards.

The branch's journal, *Occupational Health in Ontario*, is published under the direction of an editorial board.

*1987/88 Activities*

**Resource Service**

The Resource Service is comprised of the four specific units:

Technical Support, Toxicology, Statistics and Analysis, and Training and Staff Development. The service, through its four units:

- Provides medical, scientific and technical guidance on occupational health and safety matters
- Provides toxicological advice on chemical and biological agents
- Processes the branch field investigation reports for data computerization, oversees processing of branch program delivery data and turnaround statistics, manages health and safety data base systems and provides statistical analyses and interpretation of health effects, exposure and engineering data
- Co-ordinates human resource development and training programs for branch staff.

In addition, the Resource Service:

- Identifies significant areas that require attention for field investigation, monitoring or research
- Co-ordinates field research studies and promotes collaborative research with other agencies or organizations
- Prepares and distributes to branch staff health and safety resource materials such as guidance notes and question/answer circulars
- Provides advice and input concerning the development and formulation of regulatory strategies and policies for the identification, evaluation and control of chemical, physical and biological agents
- Evaluates the notifications of new chemicals introduced in Ontario workplaces as required by section 21 of the Act (248 notifications in 1987/88).

**Sources of Resource Service Visit Requests**

| | |
|---|---|
| Carry–over from 1986/87 | 3 |
| Industrial Health and Safety Branch | 1 |
| Health and Safety Support Services | 1 |
| Construction Health and Safety Branch | 19 |
| **Total** | **24** |

**Occupational Health Medical Service**

*Medical Consultants*

The medical consultants work with the industrial, construction and mining inspectors, as well as with other members of the branch, to investigate situations where health hazards may exist, to evaluate occupational health services and to advise on the establishment of medical

surveillance programs. The physicians also act as consultants to the Workers' Compensation Board, hospitals and family physicians. During 1987/88, 776 field visits and 331 joint visits were carried out, and comments on 344 air quality reports were made.

| Sources of Physicians Visit Requests | |
|---|---|
| Carry–over from 1986/87 | 240 |
| Industrial Health and Safety Branch | 275 |
| Health and Safety Support Services Branch | 245 |
| Construction Health and Safety Branch | 4 |
| Mining Health and Safety Branch | 3 |
| Workers' Compensation Board | 353 |
| Other | 49 |
| **Total** | **1,169** |

*Nursing Consultants*

The nursing consultants visit industries and institutions to audit designated substances medical surveillance programs, to promote occupational health programs where none exist, and to encourage the expansion and upgrading of existing programs.

During 1987/88, 896 field visits were made to audit and promote occupational health services or programs.

| Sources of Nursing Consultant Visit Requests | |
|---|---|
| Carry–over from 1986/87 | 116 |
| Industrial Health and Safety Branch | 53 |
| Health and Safety Support Services Branch | 866 |
| Mining Health and Safety Branch | 1 |
| Other | 35 |
| **Total** | **1,071** |

*Medical Service Chest Clinics*

The Medical Service Chest Clinics continued to provide medical surveillance, educational training and specialized laboratory testing for workers, students and compensation claimants throughout Ontario.

In 1987/88, the Chest Clinics:

- Started a survey for morbidity among sheet-metal workers in Ontario, as part of a larger international project
- Started and completed data collection for a study on asthma among surgical rubber glove workers in association with the Toronto General Hospital and the Gage Research Institute
- Provided teaching staff and resources for the University of Toronto's School of Continuing Studies' biannual course, 'Pulmonary Function Testing in Industry'
- Managed an on-going Canada-wide quality control project for chest X-ray readers, using the International Labour Office standards for classifying radiographs of pneumoconioses
- Prepared the introduction of mobile occupational health surveillance units for two Northern Ontario regions, to provide service directly to mine sites
- Provided laboratory services for the detailed testing of workers under investigation for hand/arm vibration syndrome
- Provided updating of physicians within the Ministry of Labour on the revised American Thoracic Society standards for spirometry.

*Chest X-Ray Examinations*

Chest X-ray examinations required for the surveillance of workers exposed to the designated substances, free silica and asbestos, and workers exposed to other hazards, such as beryllium, hard metal (tungsten carbide and cobalt), nepheline syenite and cadmium, were conducted at the request of examining physicians.

| Exposure Group | Number of Workers |
|---|---|
| Silica Mines | 9,306 |
| Silica Foundry | 4,150 |
| Silica Others | 4,782 |
| Asbestos | 2,028 |
| Asbestos and Silica (Combined) | 1,987 |
| Others | 3,881 |
| **Total Workers Examined** | **26,134** |

## Pulmonary Function Tests

| Exposure Group | Number of Workers | Abnormalities Number of Tests | Abnormalities % of Total |
|---|---|---|---|
| Silica Mines | 9,053 | 294 | 3.2 |
| Silica Foundry | 4,134 | 210 | 5.1 |
| Silica Others | 4,701 | 160 | 3.4 |
| Asbestos | 2,014 | 108 | 5.4 |
| Asbestos/Silica | 1,951 | 93 | 4.8 |
| Others | 2,289 | 131 | 5.7 |
| **Total** | **24,142** | **998** | **4.1** |

## Silicosis

| Exposure | Previously Reported | Newly Diagnosed | Total |
|---|---|---|---|
| Silicosis | 84 | 12* | 96 |
| Complicated Silicosis | 3 | 0 | 3 |
| **Total** | **87** | **12** | **99** |

* *Includes 5 from mines*

## Asbestosis

Radiological evidence of asbestosis was reported in 12 of the 3,965 asbestos exposed workers. Of these, 2 were newly diagnosed.

| Exposure | Previously Reported | Newly Diagnosed | Total |
|---|---|---|---|
| Asbestos | 9 | 1 | 10 |
| Asbestos/Silica | 1 | 1 | 2 |
| **Total** | **10** | **2** | **12** |

## Chest Clinics Activities

| Clinic Location | Number of Workers | Number of Chest X-rays | Number of Pulmonary Function Tests |
|---|---|---|---|
| Elliot Lake | 2,115 | 2,115 | 2,103 |
| Kirkland Lake | 911 | 911 | 910 |
| Sudbury | 4,742 | 4,742 | 3,673 |
| Timmins | 2,572 | 2,572 | 2,567 |
| Thunder Bay* | 950 | 950 | 723 |
| Toronto | 14,844 | 14,844 | 14,166 |
| **Total** | **26,134** | **26,134** | **24,142** |

* *Includes films and tracings forwarded to clinic from outside sources for file preparation and transfer.*

## Summary

| Activities | |
|---|---|
| Number of X-rays | 26,134 |
| Number of pulmonary function tests | 24,142 |

| Results and Findings | |
|---|---|
| New cases of silicosis | 12 |
| New cases of asbestosis | 2 |
| New cases of dust effects | 35 |
| New cases of other pneumoconioses | 1 |
| Neoplasms | 10 |
| TB | 10 |
| Sarcoidosis | 38 |

*Note: Examinations on claimants for evaluation by the Workers' Compensation Board totalled 614.*

## Occupational Health Hygiene Service

The primary activity of this service is to recognize, evaluate and ensure control of occupational health hazards. The service is responsible for evaluating and advising on the industrial hygiene, engineering and ergonomic aspects of occupational health problems. Within this service, field investigations are carried out by occupational hygiene or ergonomics consultants.

During 1987/88, 1,806 hygiene field visits, 73 ergonomic field visits and 331 joint visits were carried out; 11 pre-development reviews were prepared; and comments on 804 air quality reports were provided.

| Sources of Hygienist Visit Requests | |
|---|---|
| Carry–over from 1986/87 | 641 |
| Industrial Health and Safety Branch | 1,459 |
| Health and Safety Support Services Branch | 466 |
| Construction Health and Safety Branch | 21 |
| Mining Health and Safety Branch | 5 |
| Workers' Compensation Board | 42 |
| Other | 49 |
| **Total** | **2,683** |

| Sources of Ergonomic Visit Requests | |
|---|---|
| Carry–over from 1986/87 | 1 |
| Industrial Health and Safety Branch | 74 |
| Health and Safety Support Services Branch | 37 |
| Construction Health and Safety Branch | 1 |
| Other | 9 |
| **Total** | **122** |

| Sources of Joint Medical/Hygiene Visit Requests | |
|---|---|
| Carry–over from 1986/87 | 74 |
| Industrial Health and Safety Branch | 206 |
| Health and Safety Support Services Branch | 117 |
| Construction Health and Safety Branch | 1 |
| Mining Health and Safety Branch | 1 |
| Workers' Compensation Board | 3 |
| Other | 17 |
| **Total** | **419** |

**Summary of Field Visits**

| | Carry-over 1986/87 | New Requests | Cancel | Outstanding |
|---|---|---|---|---|
| Physicians | 240 | 929 | 157 | 236 |
| Nurses | 116 | 955 | 76 | 99 |
| Hygienists | 641 | 2,042 | 385 | 492 |
| Occupational Health Technicians | 250 | 1,340 | 72 | 334 |
| Resource Service | 4 | 21 | 2 | 2 |
| Joint | 74 | 345 | 49 | 39 |
| Ergonomists | 1 | 121 | 7 | 42 |
| Pre-Development Review | 20 | – | – | 9 |
| **Total** | **1,346** | **5,753** | **748** | **1,253** |

**Occupational Health Laboratory Service**

This service provides analytical and air-sampling services for the ministry, clinical analyses for physicians and method development for future needs.

In 1987/88, the service:

Prepared the laboratory for the acquisition and use of computer terminals

Expanded the project on assessment of exposure to biological agents and completed the project on exposure to vibration

Developed several analytical methods for hazardous substances

Engaged in the quality assurance programs offered by:

- the Centres for Disease Control, Atlanta (monthly) — blood lead
- the Quebec Centre for Toxicology, Laval University (every two months) — blood lead and cadmium; urine cadmium, chromium, fluoride, mercury and arsenic
- the NIOSH Proficiency Analytical Testing Program (PAT) (quarterly) — lead, cadmium and zinc on filters; assorted solvents on charcoal
- the Industrial Toxicology Laboratory, West Allis Memorial Hospital, Wisconsin (every six months) — blood lead
- the College of American Pathologists (CAP) (quarterly) — blood lead

| Sources of Environmental Assessments | |
|---|---|
| Carry-over from 1986/87 | 250 |
| Industrial Health and Safety Branch | 4 |
| Health and Safety Support Services Branch | 1,336 |
| **Total** | **1,590** |

## Summary of Environmental Assessments

| Source | Carry-over 1986/87 | New Requests | Cancel | Outstanding |
|---|---|---|---|---|
| Occupational Health Technicians | 250 | 1,340 | 72 | 334 |

**Number of Environment Assessments Completed = 1,184**

| Summary of Analyses | |
|---|---|
| Clinical Samples | 40,430 |
| Material Samples | 3,611 |
| Air Samples | 39,730 |
| Physical Agents | 9,941 |
| **Total Number of Analyses** | **93,712** |
| Samples sent to Private Laboratories for Proficiency Testing | 634 |

| Analyses | Physical Agents | Air Samples | Material Samples | Clinical Samples | Total |
|---|---|---|---|---|---|
| Acrylonitrile | 0 | 163 | 6 | 0 | 169 |
| Arsenic | 0 | 0 | 13 | 0 | 13 |
| Asbestos | 362 | 0 | 673 | 0 | 1,035 |
| Benzene | 0 | 250 | 21 | 1,275 | 1,546 |
| Coke Oven Emissions | 0 | 160 | 0 | 0 | 160 |
| Cristobalite | 0 | 3 | 0 | 0 | 3 |
| Isocyanates | 0 | 1,423 | 65 | 0 | 1,488 |
| Lead | 0 | 1,781 | 113 | 25,846 | 27,740 |
| Mercury | 0 | 52 | 3 | 3,091 | 3,146 |
| Silica (Quartz) | 0 | 941 | 163 | 0 | 1,104 |
| Vinyl Chloride | 0 | 227 | 4 | 0 | 231 |
| Other | 9,579 | 34,730 | 2,550 | 10,218 | 57,077 |
| **Total** | **9,941** | **39,730** | **3,611** | **40,430** | **93,712** |

**Radiation Protection Service**

The Radiation Protection Service was expanded and reorganized during the year and now includes all the staff from the former Radiation Protection Laboratory.

The service, which is the primary source of expertise on all matters concerning exposure to radiation, evaluates and controls occupational exposure and provides assistance to other ministries and agencies on exposure of the public to radiation in the environment. The service also provides radioanalytical and technical support to other provincial agencies involved in radiation surveillance programs and health studies related to the exposure of the public to radioactive isotopes.

In 1987/88, the service:

Began revising the X-Ray Regulation (Ontario Regulation 632/86), effective October 30, 1986

Enforced the provisions of the X-Ray Regulation through employee registrations (85, up 27 per cent), X-ray plan reviews (98, up 17 per cent) and site inspections (322, up 15 per cent); in the same period the number of high personal dosimeter readings declined from 64 per cent to 45 per cent

Provided calibrations on X-ray measuring instruments

Provided training sessions on radiation inspection and dosimetry

Provided information and advice in response to 824 specific enquiries about non-ionizing radiation issues. Slightly over half the enquiries (435) related to video display terminals. The balance was roughly equally divided among optical, microwave, radiofrequency and low frequency enquiries

Tested a total of 48 microwave ovens (mainly in workplace lunch facilities) for microwave emissions

Inspected 76 locations using various forms of non-ionizing radiation-emitting devices — principally radiofrequency heat sealers and microwave emissions

Continued discussions with the Legal Services Branch concerning the completed draft regulation on naturally occurring radionuclides

Completed a contract for the measurement of radon daughters in new homes in Elliot Lake during the year; 397 buildings were monitored. A further 44 buildings were monitored for radon daughter concentrations in locations across the province

Continued development of new methods of measurement, evaluation of new instruments, equipment calibration and construction of special instruments

Provided advice, information and assistance to industry, labour, government agencies and the public on all aspects of radiation protection

Staff participated actively on various national and international working groups and committees, and throughout the year in the quality assurance programs of the International Atomic Energy Agency, the U.S. Environmental Protection Agency and Health and Welfare Canada.

**Summary of measurements by sample type**

| Type of Sample | Number of Measurements |
|---|---|
| Water | 9,226 |
| Air Filter | 4,793 |
| Air Filter Extracts | 178 |
| Urine | 2,220 |
| Swipes | 653 |
| Milk | 425 |
| Soil and Sediments | 644 |
| Precipitation | 184 |
| Tritium Cells | 159 |
| Radon Daughter Counting Equipment | 89 |
| Air | 25 |
| Foodstuff | 59 |
| Radioiodine Cartridges | 22 |
| Blood, Hair, Tissue | 161 |
| Miscellaneous | 126 |
| **Total** | **18,964** |

**Summary of radioanalytical measurements**

| Type of Measurement | Number of Measurements |
|---|---|
| Lead | 204 |
| Radium | 1,848 |
| Strontium | 331 |
| Thorium | 124 |
| Tritium | 1,547 |
| Uranium | 2,496 |
| Gross Alpha | 2,388 |
| Gross Beta | 6,623 |
| Gamma | 2,935 |
| Other Radionuclides | 468 |
| **Total** | **18,964** |

## Construction Health and Safety Branch

**W.S. Melinyshyn, P.Eng**
**Director**

To promote a healthful and safe occupational environment for Ontario's construction workers, based on the co-operative identification and control of safety hazards on construction projects, the Construction Health and Safety Branch provides assistance to employers, contractors, supervisors and workers through inspections, consultations, investigations and enforcement.

In 1987/88, the branch:

Made 39 790 inspections

Issued 32,022 orders

Reorganized its structure by creating a chief administrator, field operations position, with responsibility for all general field operations; and a chief engineer position, with responsibility for providing engineering support to the field and special services such as tunnelling and diving expertise

Prepared final draft amendments to the Regulations for Construction Projects

Assisted with the development of designated substance regulations in construction (e.g. lead, silica), and Regulations respecting Window Cleaning and Roll-Over Protection Systems (ROPS)

Completed the third year of the Employment Equity summer student initiative

Recruited eight construction safety officers in an underfill capacity, to implement government policy on employment equity

Developed training modules in its newly established training unit, used to train 41 inspector recruits

Implemented the second phase of its office automation, using personal computers.

**Inspection and Fatality Data**

| | 1987/88 | 1986/87 |
|---|---|---|
| Workers in the Work Force | 305,000◆ | 257,000◆◆ |
| Projects/ Establishments | 22,269 | 21,399* |
| Accidents Investigated | 1,377 | 1,416 |
| Fatalities Investigated | 39 | 41 |
| Refusals to Work Investigated | 1 | 3 |
| Complaints Investigated | 1,866 | 1,638 |
| Inspections | 39,790 | 49,014 |
| Orders Issued | 32,022 | 24,508 |
| Stop–Work Orders Issued | 1,507 | 1,040 |
| Consultations | 2,079 | 2,326 ** |
| Case Prosecutions | | |
| (Part III Citations) | 299*** | 177*** |
| (Part I Citations) | 77*** | 188*** |
| Convictions | 269 | 334 |
| Fines | 417,105 | 299,170 |

Notes:

◆ *Total Labour Force*

◆◆ *Employed Labour Force*

* *Includes Non-Notifiable Projects.*

** *Includes Engineering Consultations.*

*** *Part I and Part III Citations Combined in Previous Reports.*

## Industrial Health and Safety Branch

**T. Casey**
**Director**

To reduce the risk of death and injury in the workplace, the Industrial Health and Safety Branch administers and enforces the *Occupational Health and Safety Act* and associated regulations in the more than 150,000 industrial establishments in Ontario, which cover some 3.5 million workers.

The branch conducts investigations into deaths, critical injuries, serious accidents, complaints and refusals to work, and it reviews engineering drawings of new industrial buildings and alterations to ensure compliance with the Act and regulations.

In 1987/88, the branch:

Recruited 40 occupational health and safety officers

Initiated an extensive training program designed to provide new officers with the full range of knowledge and skills required to administer their duties

Provided all officers with updated training on the designated substance regulations

Employed 21 summer students, including seven through the Employment Equity Program, to register new businesses and meet with management and worker representatives, providing information on the *Occupational Health and Safety Act* and introducing them to the services of the branch and its support groups

Greatly increased consultations with key interest groups — labour, management and safety associations

Participated on committees to review and develop regulations and amendments to the Act

Carried out ongoing consultation with the Ministry of Skills Development to develop a module training program for the forestry industry

Continued with the acquisition program to provide technology in all field locations and developed systems for tracking and monitoring common applications

Carried out ongoing consultation with the Office of the Fire Marshal, to develop jurisdictional procedures to be followed in cases of fire causing personal injury to workers in workplaces under the jurisdiction of the Industrial Health and Safety Branch.

**Inspection and Fatality Data**

| | 1987/88 | 1986/87 |
|---|---|---|
| Workers in the Work Force* | 3,500,000 | 3,200,000 |
| Projects/Establishments | 150,000 | 150,000 |
| Accidents Investigated | 944 | 998 |
| Fatalities | 36 | 33 |
| Refusals to Work Investigated | 409 | 411 |
| Complaints Investigated | 1,467 | 1,560 |
| Telephone Enquiries | 85,903 | 78,170 |
| Consultations | 924 | 956 |
| Appearances at Inquest or Trial | 666 | 512 |
| Other Investigations | 3,040 | 2,930 |
| Inspections | 24,611 | 26,268 |
| Orders Issued | 28,494 | 36,889 |
| Stop-Work Orders Issued | 1,135 | 1,431 |
| Pre-development Review (Plans Review) | 3,362 | 3,361 |
| Case Prosecutions | 176 | 114 |
| Convictions | 110 | 65 |
| Fines | $397,982 | $290,954 |
| Revenue | $1,708,340 | $1,467,824 |

* *Updated work force figures — Source: Statistics Canada Labour Force Report and Employment, Earnings and Hours Report (November 1987).*

## Mining Health and Safety Branch

**V. Pakalnis, P.Eng.**
**Director**

The objective of the Mining Health and Safety Branch is to reduce the risk of death and injury to workers in Ontario mines and mining plants. The branch encourages employers and workers in the mining industry to achieve this goal by co-operative identification and control of health and safety hazards in workplaces under its jurisdiction.

The branch administers the *Occupational Health and Safety Act*, R.S.O. 1980, C.321, Regulation 694 as amended by O.Reg. 258/87 and the Regulations for Mines and Mining Plants, the designated substances regulations, and Regulation 633/86 for oil, gas and related industries — offshore.

The branch's activities apply to 192 underground mines, 63 open-pit mines, 6,519 sand and gravel pits and quarries, 69 metallurgical and ore-processing plants and 49 clay, shale and peat workings.

The branch's 1987/88 activities included:

Carrying out 4,976 inspections and issuing 5,195 orders, of which, 132 were stop-work orders

Investigating all fatalities and publishing detailed reports of the investigations. During 1987/88, 19 fatalities were investigated

Investigating 17 work refusals. The branch staff also investigated other complaints concerning unsafe or unhealthy conditions

Researching, analysing and preparing background information for the Mining Legislative Review Committee covering the following areas: electricity, mine

shaft hoisting, bonus, diesel exhaust measurements, arsenic, radon in non-uranium mines, first aid for underground mines, guarding of diamond drill components, misholes, worker inspectors, and hours of work

Completing 1,029 tests of ropes for individual wire ductility and total rope strength at the Wire Rope Testing Laboratory

Conducting working environment surveys to determine worker exposures to dusts, gases and fumes

Conducting pre-development reviews of all new mining process technology; of the use of new methods of construction and equipment installation; of major alterations of mining techniques and technology; and of major additions and alterations for compliance with the Act and regulations

Providing mine rescue training. During 1987/88, 898 men participated in the mine rescue training program and 35 seven-man teams competed in eight district mine rescue competitions. Fifty supervisors underwent supervisory management training in mine rescue. Mine rescue officers conducted 612 days of training. This total does not include extra district and provincial competition training or emergency assistance. There were 91 underground mine fires, 15 of which required the services of mine rescue teams. Two non-fire emergencies required extensive use of mine rescue personnel

Participating in a tripartite fatalities committee involving senior representatives of industry, labour, the Mines Accident Prevention Association of Ontario and the branch. Initiatives to reduce mining fatalities were undertaken in the areas of fail-safe design, analysis of statistics, Internal Responsibility System, and attitudes and accidents relationship

Preparing a presentation and brief for the Standing Committee on Resources Development studying mining accidents

Improving emergency preparedness capabilities by researching special equipment requirements for fire and non-fire emergencies

Developing the Crisis Management Program (CRIMP) manual by the Tripartite Mine Rescue Advisory Committee in its work to improve mine rescue capability

Acting on the Report of the Provincial Inquiry into Ground Control and Emergency Preparedness in Ontario Mines, which was released in March 1986. The report contains 60 recommendations for improving ground control and emergency preparedness in underground mines, and the following actions have been taken:

- the Crisis Management Program manual has been developed and distributed to assist mines in emergency preparedness
- regulatory changes have been made respecting mine design, communications, mine lighting for inspecting ground conditions and underground vehicle operator falling object protective structures, and section 10 of the Regulations respecting Training
- two additional ground control engineers have been recruited
- funding for the second year of operation of the Ground Control Training Centre at Cambrian College was provided.

Organizing co-operative research programs. The Ministry of Labour, through the Mining Health and Safety Branch, has entered into a number of co-operative research programs with the federal Department of Energy, Mines and Resources (Canada Centre for Mineral and Energy Technology) and

the U.S. Bureau of Mines. These initiatives include programs on: a) diesel emissions in underground mines; b) wire rope and hoisting technology; and c) ground control and emergency preparedness. New programs are being studied on the subjects of sulphide dust explosions and robotics. A ceramic diesel exhaust filter, which will improve the mine working environment and reduce diesel emissions, has been developed as a result of collaborative research. The ceramic filter is being tested in a number of mines. An agreement has been signed between the Ministry of Labour and West Germany for the exchange of technical information on mine hoisting

Publishing and widely distributing quarterly reports covering industry performance in such areas as incidents, accidents, fatalities, prosecution, work refusals, stop-work orders and hazard notices

Implementing a program for annual audits of mine designs, to assist in detecting potential ground problems so that appropriate preventive action may be taken

Establishing a computerized data base on falls of ground and rockbursts to identify trends in and causes of ground movement and to eliminate hazards

Aiding in the establishment of a new mines and minerals facility. On July 30, 1986, the premier announced that the Wire Rope Testing Laboratory and the headquarter offices of the Mining Health and Safety Branch will be relocated to Sudbury. The Wire Rope Lab is to be part of the new mines and minerals facility to be established on the Laurentian University campus. The headquarter offices of the Mining Health and Safety Branch will be located in the Ministry of Northern Development and Mines building in downtown Sudbury.

**Inspection and Fatality Data**

| | 1987/88 | 1986/87 |
|---|---|---|
| Mine Rescue Stations | 8 | 8 |
| Mine Rescue Substations | 42 | 37 |
| Miners Under Training in Mine Rescue | 781* | 678* |
| Wire Rope Tests | 1,029 | 966 |
| Revenue from Wire Rope Tests | $230,578 | $223,200 |
| Non-fatal Accidents Investigated | 3,493 | 3,618 |
| Critical Injuries Investigated | 66 | 63 |
| Fatalities Investigated | 19 | 10 |
| Refusals to Work Investigated | 17 | 32 |
| Unusual Occurrences Investigated | 350 | 336 |
| Hours Spent Investigating Complaints | 2,040 | 2,599 |
| Hours Spent on Pre-development Review | 10,672 | 10,102 |
| Inspection Reports | 4,976 | 5,548 |
| Orders Issued | 5,195 | 4,333 |
| Stop-work Orders | 132 | 87 |
| Prosecution Cases | 12 | 7 |
| Convictions | 8 | 3 |
| Fines | $93,000 | $8,000 |

* *These figures are for the period January 1 to December 31.*

**Industry Statistics**

| | 1987/88 | | 1986/87 | |
|---|---|---|---|---|
| | **Operations** | **Workers** | **Operations** | **Workers** |
| Underground Mines | **192** | **26,712** | 168 | 24,512 |
| Open-pit Mines | **63** | **2,440** | 49 | 2,692 |
| Quarries | **451** | **3,092** | 436 | 3,175 |
| Clay and Shale Pits | **29** | **477** | 31 | 111 |
| Sand and Gravel Pits | **6,068** | **7,184** | 5,972 | 7,080 |
| Peat Workings | **20** | **61** | 20 | 60 |
| Brine Wells | **1** | **–** | 1 | – |
| Metallurgical Plants | **31** | **6,186** | 27 | 6,867 |
| Metallurgical Labs | **15** | **554** | 13 | 393 |
| Aggregate Plants | **23** | **394** | 23 | 370 |
| Diamond Drilling Operations | **57** | **237** | 47 | 228 |
| Offshore Rigs | **8** | **35** | 8 | 13 |
| **Total** | **6,958** | **47,372** | **6,795** | **45,501** |

# *Labour Policy and Programs*

**Peter Sadlier-Brown**
**Assistant Deputy Minister**

The Assistant Deputy Minister of Labour Policy and Programs is responsible for the ministry's policy development activities and new legislative initiatives, and for monitoring existing programs and policies to determine their effectiveness. This monitoring includes overseeing the ministry's Policy Branch, which has a mandate to initiate, develop and co-ordinate policy activities as well as to co-ordinate and prepare ministerial correspondence and liaise with other ministries.

The assistant deputy minister is also responsible for the activities of the Employment Standards Branch, the Employment Adjustment Branch, the Handicapped Employment Program, the Office of the Employer Adviser and the Office of the Worker Adviser.

## Employment Standards Branch

**P. Dutton**
**Director**

The objective of the Employment Standards Branch is to ensure that people in the Ontario work force are protected with respect to minimum wage and working conditions through the active promotion of compliance and the enforcement of the following legislation:

The *Employment Standards Act*

The *Industrial Standards Act*

The *Employment Agencies Act*

The Fair Wage Schedules on contracts let by the provincial government.

Approximately 60 per cent of the branch's staff is based in regional offices in Hamilton, Kitchener, London, Ottawa, Sudbury and Metropolitan Toronto, as well as in various suboffices.

*1987/88 Activities*

*Employment Standards Act — General*

The branch continues to face a heavy case load, with most of its day-to-day activities related to servicing complaints under the *Employment Standards Act*. In 1987/88, the branch:

Increased its range of activities by the addition or revision of a number of standards:

- passage of Bill 85, amending the severance pay and termination sections of the *Employment Standards Act* (a technical guide to the changes

is available in the Ontario Government Bookstore)

- addition to regulations, providing further employment protection for domestic workers
- enactment of an amendment (Bill 51), protecting workers in retail business with regard to work on Sundays

Tabled in the legislature the first phase of the Task Force on Hours of Work and Overtime (the Donner Task Force)

Registered 18,377 new claims, of which, 18,301 were resolved. A training region was established to assist with claim resolutions and to develop field expertise. Approximately one-third of all claims were resolved within 30 days

As a result of investigative activity, collected $10,276,485 on behalf of 21,682 employees. A further 190 preventive inspections carried out on selected employer populations across the province resulted in 720 employees benefiting

Received a 21 per cent increase (to 1,022,030) in the number of telephone and letter inquiries that were handled by the head office telephone inquiry unit, the field staff and the electronic messaging system. This public assistance was complemented by an increased number of personal interviews (32,663) with walk-in claimants

Conducted an increased number of public forums and employer education seminars as well as producing and distributing a number of technical bulletins on the Act.

*Employment Standards Act — Specific*

*Appeals and Hearings*

The *Employment Standards Act* provides for a review of an order against an employer made by an employment standards officer. The appeal is heard by a referee selected from a panel of referees appointed by the minister. In the 1987/88 fiscal year, 165 applications for review were resolved.

The director may also appoint a referee to hold a hearing in situations where an employment standards officer has so recommended based on the opinion that an act has been committed or an agreement or arrangement has been made to defeat the purpose of the *Employment Standards Act*. In the 1987/88 fiscal year, such hearings were held in eight cases.

Should an employer fail to pay monies owed under an Order to Pay issued by an employment standards officer, the director may issue a certificate to be filed in a court of competent jurisdiction. The certificate is then enforceable as a judgement or order of court, pursuant to section 54 of the Act. In the 1987/88 fiscal year, 228 such certificates were filed.

Any person who contravenes any provision of the *Employment Standards Act* may be prosecuted in the provincial offences court; upon conviction, in addition to any penalty imposed by the court, such a person may be ordered to pay to the director in trust the wages owed to the employees. Upon payment, the monies will be distributed to the employees. In the 1987/88 fiscal year, 18 cases were sent to the provincial offences court for prosecution.

*Permits and Approvals*

The *Employment Standards Act* empowers the director to issue a permit authorizing hours of work in excess of the statutory work-week of eight hours in a day and 48 hours in a week. The director may also approve a regular workday of more than

eight hours. Before granting discretionary permits, the branch reviews special excess-hours permit requests with the company and, if a bargaining agent exists, the union.

*Working Conditions and Analysis*

Analysis and research on labour policy and program issues that are directly related to minimum-employment conditions are performed by the Working Conditions and Analysis Unit of the branch.

*Industrial Standards Act*

The *Industrial Standards Act* provides a means for employer and employees to jointly establish a schedule of working conditions that reflects the prevailing labour standards in their industry. Once enacted, the provisions of a schedule become mandatory on all who perform work as defined in the industry definition.

To provide a measure of self-regulation, four schedules, covering approximately 400 employers and 8,300 employees, are administered and enforced by five-member advisory committees comprised of management and labour representatives who are active in the industry. No schedules were updated in 1987/88.

*Employment Agencies Act*

The *Employment Agencies Act* provides a measure of protection from unjust practices when job applicants use 'permanent' employment agencies to assist them in finding work. Agencies are required to apply for and receive the appropriate licence before doing any placement activity. The four classes of licences specify occupational categories, and clients and/or applicants are required to pay a placement fee. An agency can hold only one class of licence.

*Fair Wage on Government Contracts*

The Fair Wage on Government Contracts program is designed to ensure that workers engaged on contracts awarded by government ministries for construction, building-cleaning and security projects and on municipal road-building projects have a means to obtain the minimum standard of wages, hours of work and overtime that prevails for their work classification in the area where it is performed.

Contractors, when bidding on government contracts, also receive a measure of protection from unfair competition based on reduced labour costs.

Wage rates in each zone are periodically confirmed and adjusted by survey. In the interim they are reviewed each year and adjusted when required on the basis of industry settlements, the consumer price index and consultation with industry.

*Agricultural Industry Advisory Committee*

This committee advises the minister on matters relating to the application of employment standards legislation to agricultural workers, and on the development and modification of employment standards appropriate to the agricultural industry. The committee is composed of representatives of farm owners and farm workers, who meet only as needed.

**Investigative Activity**

| | Claim Files | | Preventive Inspections | | Total | |
|---|---|---|---|---|---|---|
| | 1987/88 | 1986/87 | 1987/88 | 1986/87 | 1987/88 | 1986/87 |
| Workload: | | | | | | |
| Pending from Prior Fiscal Year | 2,677.0 | 2,939.0 | – | – | 2,677.0 | 2,939.0 |
| Registered/Assigned | 18,377.0 | 18,524.0 | 190.0 | 234.0 | 18,567.0 | 18,758.0 |
| Total | 21,054.0 | 21,463.0 | 190.0 | 234.0 | 21,244.0 | 21,697.0 |
| Resolved/Conducted | 18,301.0 | 18,301.0 | 190.0 | 234.0 | 18,491.0 | 18,535.0 |
| Resolutions as % of Total Workload : | 86.9 | 85.3 | – | – | – | – |
| Results: | | | | | | |
| Number of Collections | 11,327.0 | 11,483.0 | 44.0 | 70.0 | 11,371.0 | 11,553.0 |
| Employees Benefited | 21,682.0 | 22,334.0 | 720.0 | 554.0 | 22,402.0 | 22,888.0 |
| Amount Collected ($000s) | 10,276.5 | 10,390.9 | 267.1 | 157.6 | 10,543.6 | 10,548.5 |
| Outstanding Files End of Fiscal Year | 2,453.0 | 2,677.0 | – | – | 2,453.0 | 2,677.0 |

**Collections by Standard**

| | Amount Collected ($000s) | ($000s) | No. of Collections by Individual Standard | | Employees Benefited Financially by Individual Standard | |
|---|---|---|---|---|---|---|
| | 1987/88 | 1986/87 | 1987/88 | 1986/87 | 1987/88 | 1986/87 |
| Minimum Wage | 79.5 | 70.6 | 258 | 243 | 428 | 392 |
| Overtime | 1,479.1 | 1,346.0 | 1,326 | 1,389 | 4,245 | 3,851 |
| Public Holidays | 252.1 | 250.3 | 632 | 645 | 1,865 | 1,717 |
| Vacation Pay | 2,613.7 | 2,793.1 | 8,196 | 8,337 | 14,731 | 16,711 |
| Equal Pay for Equal Work | 160.0 | 254.5 | 21 | 31 | 208 | 296 |
| Benefits | .4 | 2.2 | 3 | 10 | 3 | 10 |
| Pregnancy Leave | 36.9 | 33.7 | 18 | 14 | 18 | 14 |
| Lie Detector* | 6.6 | – | 1 | – | 1 | – |
| Termination Pay | 1,963.6 | 1,452.5 | 2,292 | 2,194 | 2,856 | 2,964 |
| Benefits during Notice Period | 2.9 | 0.3 | 5 | 6 | 5 | 6 |
| Severance Pay | 1,165.6 | 2,187.2 | 51 | 9 | 290 | 527 |
| Collection of Wages | 2,505.2 | 2,152.0 | 5,692 | 5,618 | 6,986 | 7,506 |
| Fair Wage on Gov't Contracts | 10.5 | 4.0 | 8 | 4 | 37 | 6 |
| Industrial Standards | .2 | 2.0 | 1 | 5 | 3 | 6 |
| Total | 10,276.5 | 10,548.4 | 18,504 | 18,505 | 31,676 | 34,006 |

* *Revised.*

## General Inquiry and Information Activity

| | 1987/88 | 1986/87 |
|---|---|---|
| Telephone Inquiries (Non–claim) Handled: | | |
| by staff | **660,864** | 611,703 |
| by electronic message | **358,633** | 228,896 |
| Letter Inquiries (Non–claim) Responded to | **2,533** | 3,352 |
| Personal Interviews Held | **32,663** | 30,580 |
| **Total** | **1,054,693** | 874,531 |
| Public Appearances and Employer Education Seminars Held | **235** | 170 |
| Number in Attendance | **9,028** | 6,399 |

## Appeals (Section 50)

| | 1987/88 | 1986/87 |
|---|---|---|
| Pending from Prior Fiscal Year | **120** | 140 |
| Intake | **193** | 187 |
| Results: | | |
| Order Confirmed | **49** | 99 |
| Employer Upheld | **16** | 23 |
| Other Varied | **19** | 27 |
| Settled Before Hearing | **81** | 58 |
| **Total** | **165** | 207 |
| Outstanding End of Fiscal Year | **148** | 120 |

## Hearings (Section 51)

| | 1987/88 | 1986/87 |
|---|---|---|
| Pending from Prior Fiscal Year | **11** | 13 |
| Initiated | **10** | 7 |
| Results: | | |
| Employer Found in Violation | **2** | 4 |
| Employer Found in Compliance | **1** | 4 |
| Settled Outside of Hearing | **5** | 1 |
| **Total** | **8** | 9 |
| Outstanding End of Fiscal Year | **13** | 11 |

## Court Action

| | 1987/88 | 1986/87 |
|---|---|---|
| Prosecutions Finalized | **9** | 28 |
| Section 54 Certificates Filed | **228** | 172 |

## Permits/Approvals

| | 1987/88 | 1986/87 |
|---|---|---|
| Total Excess Hours Permits | **570** | 638 |
| 100 Hour | **373** | 471 |
| Special | **197** | 167 |
| Homeworker Permits | **93** | 105 |
| Averaging Approvals | **105** | 212 |
| Section 18 Approvals | **270** | 232 |

**Employment Agency Licences**

| | Initial | | Renewal | | Total | |
|---|---|---|---|---|---|---|
| Class | 1987/88 | 1986/87 | 1987/88 | 1986/87 | 1987/88 | 1986/87 |
| A | 237 | 187 | 802 | 728 | 1,039 | 915 |
| B | 2 | 2 | 7 | 5 | 9 | 7 |
| C | 1 | 1 | 1 | 3 | 2 | 4 |
| D | 10 | 4 | 11 | 17 | 21 | 21 |
| Total | 250 | 194 | 821 | 753 | 1,071 | 947 |
| Revenue ($) | | | | | 211,800 | 186,700 |

**Fair Wage Schedules**

| | Number | | Value ($) | |
|---|---|---|---|---|
| | 1987/88 | 1986/87 | 1987/88 | 1986/87 |
| Schedules Included in Contracts Let by Provincial Ministries | | | | |
| Construction | 588 | 641 | 334,187,188 | 313,050,766 |
| Building Cleaning and Security | 142 | 203 | 12,197,793 | 9,864,086 |
| Total | 730 | 844 | 346,384,981 | 322,914,852 |
| Schedules Updated | 0 | 0 | N/A | N/A |

## Employment Adjustment Branch

**Harry N. Shardlow**
**Director**

The Employment Adjustment Branch, formerly the Plant Closure Review and Employment Adjustment Branch, monitors large-scale cutbacks and closures in Ontario, providing consultative assistance to employers and employees on the provisions of the employment standards legislation and providing access to adjustment programs for affected employees.

In 1987/88, the branch:

Continued to upgrade and improve the employee counselling program (see table, below). One of the branch's most successful programs took place at Firestone Canada in Hamilton, where 1,000 workers participated in the counselling sessions.

**Statistics on Terminations**

| | 1987/88 | 1986/87 |
|---|---|---|
| Termination Cases (At least 50 Employees) | | |
| Cases: | | |
| Full Closures | 61 | 43 |
| Partial Closures | 9 | 12 |
| Reduced Operations | 25 | 43 |
| **Total** | **95** | 98 |
| Employees: | | |
| Full Closures | 10,573 | 5,776 |
| Partial Closures | 1,010 | 889 |
| Reduced Operations | 4,037 | 5,629 |
| **Total** | **15,620** | 12,294 |

**Industrial Adjustment Committees**

| | 1987/88 | 1986/87 |
|---|---|---|
| Committees Established | 55 | 82 |
| Employees Terminated in Cases Where Committees Established | 7,025 | 9,498 |
| Financial Commitment | $46,150 | $30,950 |

**Employee Counselling Program**

| | | |
|---|---|---|
| Programs Established | 35 | 23 |
| Employees Participating | 2,452 | 600 |

## Handicapped Employment Program

**John Rae***
**Acting Manager**

The Handicapped Employment Program (HEP) promotes employment equity for people with disabilities.

It provides specific services to employers and other sectors and to communities, as well as information services.

In 1987/88, the program:

Co-ordinated 'Linking for Employment', a major provincial conference attended by 130 employment/placement counsellors for persons with disabilities. The conference, which was set up to establish a network organization of employment/placement counsellors, was jointly sponsored by HEP, Employment and Immigration Canada and the Personnel Association of Ontario (PAO)

* *John Rae was appointed acting manager on February 22, 1988.*

Produced two award-winning publications (English and French, print and audio):

- *Taking Aim: Job Search Strategies for People with Disabilities* (1987 winner of government information officers' Forum gold award for excellence in communications)
- *PROFiLE*, a single-issue magazine featuring the careers of 34 people with disabilities successfully working across Ontario (1988 winner of government information officers' Forum gold award for excellence in communications).

*Services to Employers*

In 1987/88, HEP accomplished the following:

Provided employment equity consulting services to 69 employer clients, as well as ongoing information services to 348 employer contacts

Delivered 62 training seminars to employers from a mix of companies (about 2,100 people attended these seminars)

Provided 21 employers with 24 Summer Experience '87 students to assist with their employment equity programs

Produced an employer training package, *Employment Equity — A Front Line Challenge* (workbook and manual)

With the Race Relations Directorate, developed and presented a joint employment equity seminar for employers

Sponsored, facilitated or attended 24 seminars, conferences or other events.

*Services to Other Sectors*

In recognition of the essential linkages needed to increase job opportunities for people with disabilities, HEP:

Continued to network and develop initiatives with:

- 30 vocational-rehabilitation organizations
- 17 government agencies
- 22 educational groups
- 12 labour organizations
- 19 consumer or self-help groups

Revised 'Supported Employment', a discussion paper on a unique model of service delivery that uses a short-term job coach to assist people with severe disabilities to compete in the workplace

Published *PROFiLE*, a single-issue magazine, and distributed over 19,000 copies to key target audiences across Ontario

Sponsored, facilitated or attended 34 seminars, conferences or other events.

*Services to Communities*

In providing consultation and support to various community initiatives, HEP:

Launched *Taking Aim: Job Search Strategies for People with Disabilities* in five communities in Ontario

Continued links and developments in 16 communities across Ontario, including participation in community councils and planning committees

Planned, organized and participated in a media tour, successfully promoting *PROFiLE* in 10 communities in Ontario

Provided 27 organizations in communities across Ontario with Summer Experience '87 students to work on a wide variety of projects designed to increase employment opportunities for people with disabilities

Sponsored, facilitated or attended 40 seminars, conferences or other events

Provided staffed information displays at nine events

Gave a grant to PATH Employment Services (Hamilton) to develop training materials for job-seekers with disabilities, to be used in conjunction with *Taking Aim*

Gave a grant to Sarnia Community Resource Council for an employer conference.

*Information Services*

HEP provided the following information services across Ontario:

Distributed over 23,000 brochures and resource materials, in addition to 18,983 copies of *PROFILE*, to representatives of all sectors

Gave out thousands of promotional buttons, bookmarks, brochures, posters, carrier bags and other promotional materials at conference workshops, seminars and trade shows

Advised, in person, 279 job-seekers with disabilities and gave specific résumé advice to 112

Responded to over 6,800 telephone messages related to resources, referral and problem-solving.

## Policy Branch

**Nicholas Ignatieff***
**Acting Director**

The Policy Branch provides the minister, senior ministry officials and the government with information, analysis and advice to assist and enable the ministry and government to develop policy positions, legislation and programs in the following areas:

Terms and conditions of employment

Industrial relations, rights and other legislative programs

Occupational health and safety and workers' compensation

In 1987/88, the branch:

Completed development of proposals for reform of severance, notice of termination and plant closure legislation

Represented the ministry on the issue of labour adjustment and free trade before the Standing Committee on Finance and Economic Affairs

Conducted consultations with other ministries and various external organizations on the Phase I recommendations of the Task Force on Hours of Work and Overtime (the Donner Task Force)

Developed new regulations under the *Employment Standards Act* concerning domestics

Commissioned a study to determine incidence and terms and conditions of employment of 'live-out' baby-sitters and 'companions'

Participated in various interministerial committees on new pension and insurance legislation to ensure conformity of Regulation 282 under the *Employment Standards Act*

Consulted with the Ministry of Community and Social Services on a new wage policy for persons with disabilities

Participated in federal-provincial discussions regarding various labour issues

* *Nicholas Ignatieff was appointed acting director on October 19, 1987.*

Developed policy for the revision of the Fair Wage on Government Contracts schedules

Assisted in the establishment of the Pay Equity Commission to administer the *Pay Equity Act*

Monitored legal cases under the *Charter of Rights and Freedoms* to ensure conformity of ministry legislation

Participated in an interministerial task force to develop a regulation under the *Human Rights Code* to define 'undue hardship' in accommodation of the handicapped

Consulted with various labour and management groups concerning the *Employment Standards Act*, the *Labour Relations Act*, the *Crown Employees Collective Bargaining Act* and the *Hospital Labour Disputes Arbitration Act*

Provided advice to the minister with respect to the implementation of the *Freedom of Information Act*

Represented the ministry in various Canadian Association of Administrators of Labour Legislation (CAALL) committees, and participated in numerous public meetings to explain ministry policies and legislation

Assisted in the development of proposals to amend the *Occupational Health and Safety Act*

Provided staff support to the implementation committee reviewing the Task Force Report on Health and Safety in Agriculture

Developed proposals for revising permanent partial disability benefits administered by the Workers' Compensation Board

Prepared and led consultations on a discussion paper on injured worker right to re-employment.

## Office of the Worker Adviser

**Odoardo Di Santo**
**Director**

The Office of the Worker Adviser (OWA) assists injured workers in dealing with the workers' compensation process, with special reference given to the Client Services Division of the Workers' Compensation Board (WCB) and the Workers' Compensation Appeals Tribunal (WCAT), by:

Advising injured workers of their rights under the *Workers' Compensation Act* so that they will be able to represent themselves at the operating levels of the WCB

Representing injured workers at all levels of the WCB, at the WCAT and beyond

Working with labour and injured worker groups, MPPs and other organizations representing injured workers, and supporting them in their representation work

Identifying operational problems in workers' compensation that may require changes in practices or policies.

*1987/88 Activities*

This period was characterized by an unprecedented increase in the demand for services. OWA staff responded to 15,073 cases, a 30 per cent increase over last year's figure of 11,632 and in excess of 200 per cent more than the original projected work load, made when the office opened in October 1985.

To meet the challenge of increased client demand, the OWA established two new advisory units: the West Toronto and Niagara Region Advisory Unit, and the Northern Region Advisory Unit. New offices were opened in Sault Ste. Marie and Timmins.

The OWA now has six distinct units:

The Director's Office, which administers the program

The Special Services Unit, which conducts and co-ordinates the ongoing legislative interpretation of the *Workers' Compensation Act*, carries out medical and legal research on specific complex issues, and is responsible for internal and external workers' compensation training

The four Regional Advisory Units, which are responsible for providing representation services in their respective geographic areas:

- Toronto Region Advisory Unit (offices in downtown Toronto, in Scarborough and at the Downsview Rehabilitation Centre)
- West Toronto and Niagara Region Advisory Unit (a new unit, providing services in the Downsview, Weston and Hamilton areas)
- Central Region Advisory Unit (offices in Kitchener, London, Windsor and Ottawa)
- Northern Region Advisory Unit, which assures service to injured workers in Northern Ontario (a new unit, with offices in Sault Ste. Marie, Sudbury, Timmins, and Thunder Bay)

*Training and Outreach Activities*

Owing to the increasing complexity of the workers' compensation system, the OWA has undertaken to provide training to external workers' representatives, such as unions and MPPs, in order that they may represent workers in their appeals. To encourage and support these representatives in their assistance to injured workers, the OWA continues its active program of training and outreach. In 1987/88, the OWA was involved in over 60 external training and outreach sessions and prepared a basic training manual for workers' compensation case work.

*Policy Initiatives*

From the outset, the OWA has attempted not only to advise and represent workers, but to analyse its case experiences with a view to improving the workers' compensation system as a whole. The approach has been to resolve as many recurring problems as possible on a systemic basis, in order to avoid the need for costly appeals in numerous individual cases, and accordingly, the OWA has worked with a number of other organizations in the system: the WCB, the WCAT and the Office of the Employer Adviser. The OWA has also engaged in ongoing consultation with injured worker and labour organizations, in an attempt to reflect their concerns.

In 1987/88, policy initiatives included:

Compensation for Chronic Pain

The OWA actively participated in the elaboration of chronic pain policy by the WCAT and by the WCB. At the WCAT, the OWA made submissions to the leading case panel on the retroactivity date for chronic pain entitlement. At the WCB, the OWA made submissions in response to the board's July 1987 chronic pain policy and it represented several workers in the board's s.86n review of tribunal decisions on chronic pain compensation for temporary disability.

Definition of 'Accident' — WCAT Decision No. 72

WCAT Decision No. 72 recognized that the definition of 'accident' under the Act could include a sudden onset of pain and disability at work. The OWA represented the worker who was the subject of Decision No. 72, in the WCB's s.86n review of that WCAT

decision. The OWA proposed improved procedures for the s.86n review process on behalf of the worker, and challenged the existing procedures in divisional court.

WCAT Procedures

The OWA studied various aspects of the WCAT's procedures, with a view to simplifying them. Results were conveyed to the WCAT in January 1988; a special meeting of the WCAT's advisory group was scheduled for April 1988, to discuss procedures.

*Other Initiatives*

Additional OWA initiatives at the WCAT included leading cases on interest on retroactive benefit payments; on disclosure of workers' WCB medical files to employers; and on the issue-setting powers of the WCAT. Additional OWA initiatives at the WCB included submissions on the hearing-loss policy review and on gold-mining and cancer claims.

**Distribution of Cases over Type of Services Provided**

| | 1987/88 |
|---|---|
| Waiting List Cases Brought Forward | 2,940 |
| Representation Cases Brought Forward | 4,050 |
| Total Cases Brought Forward | **6,990** |
| New Cases | 8,083 |
| **Total Cases** | **15,073** |
| Advisory Cases Completed | 5,562 |
| Representation Cases Completed | 2,476 |
| Total Cases Completed | **8,034** |
| Representation Cases Still Open at End Of Year | 3,863 |
| **Total Cases Handled** | **11,901** |

## Office of the Employer Adviser

**Jason E. Mandlowitz**
**Director**

The Office of the Employer Adviser (OEA) provides Ontario employers with advice on matters relating to workers' compensation through practical assistance on problems and questions related to the Workers' Compensation Board (WCB) and the Workers' Compensation Appeals Tribunal (WCAT). As well, it advocates policy on behalf of employers by communicating their concerns to the proper administrative authorities.

The OEA helps to provide an independent appeals and claims review system in Ontario and assists employers in understanding WCB procedures, policies and statutory operating requirements.

In 1987/88, the OEA:

Administered a client survey in Metropolitan Toronto, receiving a client rating of 'A' from 73.3 per cent, 'B' from 22.8 per cent and 'C' from two per cent

Conducted a trade and business association survey to determine private sector WCB activity

Conducted an OEA telephone access survey of Toronto and regional offices of the WCB

Obtained approval to conduct an OEA market-penetration study

Published new booklets and distributed 20,000 copies of the OEA's general information brochure

Produced and distributed 5,000 information bulletins

Developed and distributed an employers' WCB manual

Petitioned the WCB on policy matters such as:

- hearing loss
- right to reinstatement
- permanent partial disability pensions
- chronic pay
- PCBs
- information disclosure
- section 91(6) (merit assessment)
- chronic pain disability retroactivity
- administrative policy, including the role of the employer as a witness at a hearing, assessment information, and the need to redesign the Employer Accident reporting form

Established an internal monitoring procedure to review and collect data on significant WCAT decisions

Appeared as a witness before the Standing Committee on Resource Development during its review of the 1985 WCB annual report

Recruited a new manager of Regional Services and a new policy analyst

Served as external intervenor at WCAT on test cases: Decision No. 72 (definition of 'accident'), Decision No. 2 (definition of 'suitable and available work') and the role of the ombudsman.

**OEA Activity**

| | 1987/88 Activities | | |
|---|---|---|---|
| | May 1, 1987 Forecast | Actual | Percentage Difference |
| Contacts | 6,925 | 8,040 | 16.1 |
| Files | 2,430 | 2,098 | 15.8 |
| Hearings | 155 | 169 | 9.0 |
| Workshops (Number) | 30 | 62 | 106.7 |
| Workshops (Employer Attendance) | 1,300 | 2,060 | 58.5 |
| Direct Savings ($ millions) | 10.0 | 12.5 | 25.0 |
| External Public Events | N/A | 174 | N/A |
| Employer Meetings | N/A | 1,165 | N/A |

# *Finance and Administration Division*

**M. Rodrigues**
**Executive Director**

The Finance and Administration Division is responsible for providing administrative support for the operating divisions of the ministry in the areas of financial management and analysis, administrative operations, internal audit, library and information services, human resources, and information technology and systems. The division also provides specialized support services to the ministry in the administration of the *Freedom of Information and Personal Privacy Act, 1987*. In addition, the Executive Director of Finance and Administration provides administrative direction to the Communications Branch and the Co-ordinator, French Language Services, which report to the Deputy Minister for program purposes.

## Financial Management and Analysis Branch

**J. Leggatt**
**Director**

The Financial Management and Analysis Branch develops and implements financial management, planning, reporting and control systems for the Ministry of Labour, in accordance with the ministry's objectives and the government's goal of effective control of expenditure, revenue collection and results. The branch administers the ministry's accounts payable and receivable systems and is responsible for the processing of its payroll and related employee benefits. The branch also provides consulting and advisory services to ministry management.

In 1987/88, the branch:

Implemented an administratively integrated approach to the ministry's financial planning and budgeting activities

Assessed branch automation requirements with a view to introducing technology for increased productivity and analytical capacities in the areas of financial transacting, planning and budgeting.

**1987/88 Summary of Ministry Expenditures, Revenue and Funds**

| | General Expenditure ($000s) | General Revenue ($000s) | Trust Funds ($000s) |
|---|---|---|---|
| Ministry Administration | 22,861 | 62 | – |
| Industrial Relations | 9,671 | 37 | – |
| Occupational Health and Safety | 50,128 | 11,270 | – |
| Employment Standards | 9,020 | 312 | 7,226 |
| Labour Relations Board | 7,385 | 64 | – |
| Pay Equity Commission | 1,849 | – | – |
| WCAP | 6,566 | 5,203 | – |
| Credits | – | 210 | – |
| **Total** | **107,480** | **17,158** | **7,226** |

## Human Resources Branch

**N.E. Mayne**
**Director**

The Human Resources Branch provides consultative and administrative functions to the Ministry of Labour in the areas of staffing; compensation and staff relations; human resources planning; and development, including training; benefits; and the related processing and records maintenance functions.

The branch operates under the authority of the *Public Service Act* and regulations, the *Crown Employees Collective Bargaining Act* and the Collective Agreement, and is responsible for their administration.

In 1987/88, the branch's activities included:

*Staffing*

Administering 483 recruitment competitions throughout Ontario, with significant activity in areas such as the Occupational Health and Safety Division, the Office of the Worker Adviser, the Human Rights Commission and the Pay Equity Commission.

Recruiting for Special Programs, which resulted in placements for 437 participants

| | |
|---|---|
| Summer Experience '87 Students | 277 |
| Summer Students – Ministry Paid | 63 |
| Students Training in Industrial Relations (STIR) | 33 |
| Ontario–Quebec Job Exchange Students | 11 |
| 'Futures' Youth Employment | 8 |
| Post–Secondary Work Placement | 5 |
| Post–Secondary Co–operative Education Students | 3 |
| Secondary School Co–operative Students | 14 |
| Rehab/Work Assessment Work Stations | 17 |
| Ontario Public Service Interns | 4 |
| Practicum Student | 1 |
| Extern Student | 1 |
| **Total** | **437** |

*Compensation and Staff Relations*

Updating, evaluating and classifying 605 positions in the ministry and its boards, agencies and commissions, including the Pay Equity Commission and the Workers' Compensation Appeals Tribunal

Supporting a reorganization of the Occupational Health and Safety Division and the Information Technology and Systems Branch

Updating manual organization charts on all branches where, for example, new positions were added or titles and

reporting relationships were changed, etc.

Co-ordinating and directing 39 second stage grievance hearings

Revising worker/employer adviser class standards

Arranging and attending two orientation workshops to familiarize line managers on the proper method of completing the Physical Demands Analysis (PDA) forms. PDAs are now requested on all positions under review, recruitment and audit

Recruiting a staff relations trainee for general duties

Preparing a staff relations training course intended for line managers (sessions to commence in spring/summer 1988)

Participating in employee relations committees at the local and corporate levels

Providing ongoing advice and consultation to management and staff on industrial relations matters

Continuing to administer the *Public Service Act* and regulations, the *Crown Employees Collective Bargaining Act* and the Collective Agreement.

*Human Resources Planning and Development*

A new unit was formed in 1987 to co-ordinate human resources planning and development for the ministry. During the year, the unit was responsible for:

Consolidating human resources planning for the ministry, including preparation of the Strategies for Renewal report and monitoring of the results of the action plan

Monitoring the Voluntary Exit Opportunities (VEO) Program

Preparing background documents and draft policies for human resources

Initiating the automation of information systems for the branch

Administering the Potential Executive Program, which is responsible for the selection and development of candidates for the corporate succession planning inventory

Assisting in the development of a major report on management training and development

Initiating a comprehensive review of the ministry's performance appraisal system

Presenting line managers with training programs on human resources management topics

Presenting seminars in career planning and 'Broadening Your Horizons' to Ministry of Labour employees in co-operation with the Employment Equity Program

Extensively revising the orientation program for new employees and establishing a schedule for regular operation in 1987/88

Developing, conducting and evaluating a pilot career-planning workshop in co-operation with the Employment Equity Program

*Benefits*

Continuing to advise employees on the benefits package, relocation expenses and Public Service Superannuation Fund

Providing employees with advice and interpretation regarding the Voluntary Exit Opportunities (VEO) Program

Monitoring extended absences and liaising with Employee Counselling Services relating to the Short Term

Sickness Plan, the Long Term Income Protection Plan, work stations and rehabilitative employment

Co-ordinating the ministry's annual pre-retirement seminar and other special programs.

## Information Technology and Systems Branch

**Michael E. Roach**
**Director**

The objective of the Information Technology and Systems Branch is to enable the effective and efficient provision of information technology and systems in support of Ministry of Labour programs, government legislation and policy.

The branch provides the following services:

Strategic systems and technology planning

Systems prototyping, developing and maintenance

Information technology services

Facilities operations

In 1987/88, the branch's activities included:

Updating and marketing of the ministry's Information Technology Strategic Plan

Evaluation, selection and acquisition of computer hardware and software for the following program areas:

- Pay Equity Commission
- Office of the Worker Adviser
- Policy Branch
- Industrial Relations Division
- Employment Standards Branch
- Communications Branch
- Health and Safety Support Services Branch
- Public Service Appeal Boards
- Policy and Regulations Branch (Occupational Health and Safety Division)
- Legal Branch

Implementation of minicomputer hardware and software for executive management of the ministry

Analysis, design and development of an executive level correspondence tracking/management system

Acquisition of electronic publishing technology for Records/Forms Management and the Pay Equity Commission

Analysis, design, prototyping and development of a library Hansard system

Installation of integrated hardware and office automation software for the Workers' Compensation Appeals Tribunal

Training of over 480 personnel in the use of micro- and minicomputer-based software.

## Administrative Operations Branch

**R.R. Hogarth**
**Director**

The head office staff of the Administrative Operations Branch provide records management, central purchasing, accommodation, telecommunication, reproduction, mail, stockroom and transportation services to the ministry's program groups.

District office staff provide administrative support services to those ministry programs that serve their client groups out of district and field office locations.

In 1987/88, the branch's activities included:

Negotiating for and co-ordinating additional facilities or relocations to respond to the expanded operations of the ministry's branches, boards and commissions both at head office and field locations. These include the Employment Standards Branch, the Office of the Worker Adviser, the Office of the Employer Adviser and several district offices

Initiating and co-ordinating improved telephone systems for the ministry

Preparing a business case and acquiring computers to perform automated forms design and compiling of statistics for a records management data base

Revising ministry forms in accordance with the requirements of freedom of information and protection of individual privacy legislation

Procuring equipment, supplies and services on behalf of the ministry. The total amount was $15 million. Purchases ranged from sophisticated technical equipment required by the Occupational Health and Safety Division to replenishments for the ministry's central stockroom. The number of requisitions processed and purchase orders issued increased by 23 per cent over 1986/87.

### Ongoing Activities of the Administrative Operations Branch 1987/88

| **Records Management** | |
|---|---|
| *Schedule Implementation* | **Cubic feet** |
| Inactive Records Transferred to the Records Centre | 2,095 |
| Destruction of Obsolete Records from Records Centre | 1,321 |
| Destruction of Obsolete Records from Ministry | 1,239 |
| Archival Records Transferred to Archivist of Ontario | 320 |
| *Forms Management* | |
| Review of Forms | 287 |
| Analysis and Design of New Forms | 199 |
| Analysis and Design of Revised Forms | 419 |
| Reprinting of Forms with No Graphic Changes | 1,158 |
| Elimination of Obsolete Forms | 105 |

| **Office Services** | |
|---|---|
| *Copy Centre* | Per month (average) |
| Average Number of Impressions | 1,400,000 |
| *Stockroom* | Per month (average) |
| Shipments Received | 342 |
| Items Supplied to Program Areas | 2,006 |
| *Purchasing* | |
| Requisitions Processed | 6,880 |
| Purchase Orders Issued | 4,561 |
| Tenders Processed | 111 |

## Internal Audit Branch

**D.A. Anderson**
**Director**

The Internal Audit Branch provides independent reviews of all operations of the ministry and its agencies (excluding Workers' Compensation Board) in the areas of finance, management and information services.

In 1987/88, the branch:

Completed audits of the Task Force on Vocational Rehabilitation, the Public Service Appeals Boards, the Non-Payroll Expenditure systems and the Office of Arbitration

Commenced audits of the Revenue and Receivables system and the Ontario Conciliation and Mediation Service

Continued the review of the Industrial Relations Division's Research and Analysis Unit in conjunction with that division's Office of Arbitration and Ontario Conciliation and Mediation Service audits

Carried out special investigations/requests as required.

## Ministry Library and Information Services

**Sandra A. Walsh**
**Manager**

The Ministry Library and Information Services is one of the major collections in its subject area in Canada, providing — in print, microform and electronic format — a centralized, responsive and pro-active service to support the programs and initiatives of the ministry and those of its agencies, commissions and committees.

In 1987/88, services included:

Design of a data base indexing Ontario Hansard for eventual uploading and access via the Executive Office Automation system

Ongoing maintenance of private files on the BASIS system, including the MOLINDEX serials data base, the MOLICAT library catalogue and the Employment Standards Decisions data base

Introduction of CD-ROM technology for efficient and cost-effective online searching

Centralization of online information retrieval of Statistics Canada information by access to CANSIM as part of an Ontario government closed user group

Preparation of a case study and Request for Proposal for the selection and acquisition of an integrated library automation system

Design of a visual identity wordmark for Ministry Library publications

Establishment of a reading room to comply with freedom of information legislation and the facilitation of requests by referral to appropriate branches of the Freedom of Information Co-ordinator

Participation in the implementation of French language services by selective acquisition of publications and appropriate access to them by indexing and cataloguing services as well as translation of library publications used by the public

Outreach to district offices by visits of staff members to market library services

Assistance in the planning for library services in the Mines and Minerals Research Centre in Sudbury.

**Statistics**

| | 1987/88 | 1986/87 |
|---|---|---|
| Publications Ordered | **1,373** | 1,508 |
| Publications Catalogued | **2,518** | 4,000 |
| Circulation | **5,715** | 6,196 |
| Interlibrary Loans | | |
| Loaned | **1,881** | 2,498 |
| Borrowed | **538** | 698 |
| Reference | | |
| Ministry | **1,736** | 1,375 |
| Non-Ministry | **4,992** | 4,146 |
| Online Literature Searches | **578** | 1,002 |
| Articles Indexed | **6,765** | 7,686 |
| Bulletins Mailed | **37,961** | 37,454 |
| Articles Requested | | |
| Ministry | **8,078** | 8,427 |
| Non-Ministry | **7,058** | 7,699 |
| Records on BASIS Databases | | |
| MOLINDEX | | |
| (Serials) | **70,680** | 65,550 |
| MOLICAT | | |
| (Library Catalogue) | **24,378** | 22,348 |
| OLRB Decisions | **7,906** | 7,741 |
| ESA Decisions | **2,281** | 2,014 |
| OHRC Decisions | **418** | 396 |

## Office of Management Improvement

**William O. Hall***
**Manager**

The Office of Management Improvement was established in August 1987 to provide line management of the ministry with consultative and operational services in the areas of organizational design, management processes and operational improvement. Included in the services of the office are the management and co-ordination of the ministry's Activity Review Program and Opportunities for Development Program.

In 1987/88, the office:

Completed division and branch organizational changes initiated by the McKenzie/Laskin Report on the Administration of the Occupational Health and Safety Division

Initiated operational reviews in the stockroom and district office sections of the Administrative Operations Branch

In conjunction with the Human Resources Branch, completed seven one-day workshops for line managers on management processes such as performance appraisal and human resources planning.

* *William Hall was appointed manager on September 1, 1987.*

# *Organizations Reporting Directly to the Deputy Minister*

## Science Policy Adviser

**Ann E. Robinson, Ph.D., C.Chem., F.C.I.C.**

The Science Policy Adviser:

Provides advice to the deputy minister on existing and emerging issues in occupational and environmental health and safety

Provides advice on the development of strategies for closer collaboration between government and academic institutions in the areas of research, information exchange and staff development

Ensures the development of an overview of education and training needs and programs concerning occupational health and safety in Ontario

Maintains contact with other jurisdictions on current issues

Provides science and science policy advice relating to specific ministry legislative initiatives

Collects and collates information on research to provide background for the development of an applied research policy.

## Ontario Quality of Working Life Centre

**Dr. Hans van Beinum**
**Executive Director**

The Quality of Working Life (QWL) initiates, diffuses and supports QWL activities in joint union–management settings in Ontario by means of three program areas: consultation, education and information services.

In 1987/88, the centre's primary objective was to reposition itself and develop two sets of interdependent activities that focused on the emerging areas of new technology and health and safety. The type of consulting was therefore adjusted as the centre intensified its action research and diffusion orientation.

Two key projects in each of the emerging areas were developed:

*New Technology*

In 1987/88, the centre:

Redesigned a major electronic firm

Developed strategies for the redesign and introduction of new technology into a health-care funding organization.

*Health and Safety*

In 1987/88, the centre:

Assisted in the ongoing redesign of a large institution for the developmentally handicapped

Began work with a regional hospital.

**Education and Information Services**

In 1987/88, the centre's other program areas were revised to correspond with its changing focus. The centre:

- Conducted two introductory seminars (with a focus on new technology and health and safety)
- Ran a series of management-training sessions for one of the project organizations
- Presented 10 workshops and seminars
- Made 26 presentations to organizations in Ontario, other provinces and Europe
- Provided over 2,600 articles and publications to the general public
- Published the centre's news journal, *QWL Focus*, featuring articles on new technology and organizational choice.

## Employment Equity Program

**Sheila Dann**
**Program Manager**

The program manager is a full-time position reporting to the deputy minister. The mandate of the program is to ensure equal employment opportunity in the ministry. The manager liaises with the Human Resources Branch and the Human Resources Secretariat.

The program manager provides a resource to branch directors in implementing employment equity initiatives and chairs a committee of branch representatives who relay employment equity information to ministry employees.

As a member of the Employment Equity Council, the program manager helps to guide the corporate Employment Equity Program.

*1987/88 Activities*

In May 1987, the Employment Equity Program was expanded to include other designated groups — visible minorities, native people, persons who are disabled and francophones, as well as women.

At the start of the year, the program planned a number of hire/promotion targets and developmental assignments for members of the designated groups of the ministry.

Hire/promotion targets are determined by:

- Underrepresented occupational groups in the ministry in which less than 30 per cent are women
- The number of qualified persons to compete for the positions
- The projected vacancies and the potential number of applicants

In 1987/88, the program's activities included:

- Setting and meeting 28 targets in the following occupational groups: professional module, administrative module, technical module, maintenance services category, administrative services category, technical services category and scientific and professional services category
- Increasing the representation of the designated groups in a number of modules and categories
- Providing 89 women with development assignments. The three-month to one-year assignments were designed to qualify participants to compete for higher level positions or positions in traditionally male occupations
- Working closely with the branch directors to enable them to meet their

branch employment equity commitments

Making presentations to the branch managers and to regional offices on the development of the program

Conducting personal career-counselling interviews

Maintaining an inventory of all female employees for the purpose of effectively monitoring hirings and promotions

Organizing three one- to three-day workshops, entitled 'Moving On', 'Financial Planning', and 'Personal Power and Self-Image', for all interested designated group members, and organizing one half-day seminar, entitled 'The Secret Life of Superwoman', for women in the ministry

Organizing three noon-hour presentations, entitled 'Broadening Your Horizons', in co-operation with the Human Resources Branch

Organizing, in April 1987, 'Personal Best,' the second conference for women from the regional offices. One representative from each regional office attended the three-day session held in Toronto

Representing the Ministry of Labour on the Employment Equity Council's Regional Delivery and Interministerial task forces

Organizing 'Breakfast with the Deputy', to enable some middle-management women of the ministry to discuss informally with the deputy minister issues related to their careers

Providing opportunities for senior-level women to attend four workshops co-ordinated by the Employment Equity Program managers

Publishing the ministry's Employment Equity quarterly newsletter, *Directions*

Implementing a three-phase pilot project to introduce women into the underrepresented category of Occupational Health and Safety Inspector-2 in the Construction Health and Safety Branch. This year, five first-year female students from community colleges were hired under the Summer Student Program, and three students returned for their second summer's experience. Upon completion of their college certificate, two of the students were hired on a one-year contract with the ministry

Seconding to the inspectorate three female support staff members at regional offices of the Construction Health and Safety Branch. Two women have successfully won competitions for permanent jobs as occupational health and safety inspectors

Implementing a summer training program in the Health and Safety Support Services Branch, enabling one medical and five engineering female students to gain experience in the field of occupational health.

## Legal Services Branch

**Judith Wolfson***
**Director**

The Legal Services Branch provides legal advice to the Ministry of Labour; drafts legislation and regulations; conducts prosecutions, hearings and appeals to enforce the ministry's legislation; acts in consultation with the ministry's branches on investigations into alleged breaches of the acts and regulations; and prepares contracts.

In 1987/88, the branch:

Assisted in drafting major pieces of legislation within the ministry's responsibility

Assisted in drafting 20 regulations under the major acts of the ministry

Received 640 files recommending prosecution under the *Occupational Health and Safety Act*. Branch lawyers attended 526 trials concerning health and safety matters and completed 287 cases, a significant increase from the 204 cases completed in 1986/87. Along with the carry-over of cases from the 1986/87 fiscal year, the branch carried in excess of 1,000 active cases at any one time

Received 78 requests to represent occupational health and safety inspectors in the appeal of their orders. This was the first full year in which the branch had total carriage of this mandate

Appeared as counsel for the ministry in 148 applications for review of Orders to Pay and section 51 hearings under the *Employment Standards Act* (a 12 per cent increase over 1986/87). The branch also received 108 new cases under this Act

Drafted and approved 144 contracts, 12 of which were complex computer contracts

Expanded in size by five staff — two lawyers, one clerk and two secretaries — bringing the staff complement to 27. The increase in staff enabled the branch to better handle the increasing prosecution case load

Moved to the 25th floor at 400 University Avenue, enabling the branch to accommodate all its staff on one floor.

* *Judith Wolfson was appointed director in October 1987.*

## Co-ordinator of French Language Services

**Hélène Hunt***
**Co-ordinator**

The Office of the Co-ordinator of French Language Services provides consultation and advice to the deputy minister and senior ministry management in the implementation of the *French Language Services Act*. The co-ordinator also provides information to francophone groups of Ontario on ministry programs and services. The co-ordinator represents the ministry on the Council of Co-ordinators of French Language Services, chaired by the executive director of the Office of Francophone Affairs.

In 1987/88, the co-ordinator:

Advised the branches of the ministry and the boards and commissions on finalizing their individual French language services implementation plans

Prepared and costed the overall ministry plan and submitted it to the Office of Francophone Affairs

Prepared an internal communications strategy for French language services at the ministry

Started a series of briefing sessions for ministry management personnel.

* *Hélène Hunt was appointed co-ordinator on November 23, 1987.*

## Director of Appeals

**E. Smith***

The Director of Appeals reports directly to the deputy minister and is responsible for hearing appeals from orders of decisions of inspectors under section 32 of the *Occupational Health and Safety Act*.

In 1987/88, 129 appeals were registered. The large majority were withdrawn or settled prior to hearing. Twenty-nine decisions were rendered during this period as a result of hearings.

## Communications Branch

**Robert I. Cohen**
**Director**

The goal of the Communications Branch is to create and sustain awareness and understanding of the laws administered by the ministry and of its policies and programs. Communication materials are produced in English, French and third languages. The branch provides professional advice and program support to the minister, his deputy and senior officials through two avenues — news and information and communications planning and services.

Activities in 1987/88 included:

Responses to approximately 4,000 public telephone inquiries and requests for ministry publications

In consultation with relevant program areas produced 65 new brochures and publications, revised 37 others and reprinted 24; helped develop several slide presentations

Researched and wrote 50 speeches and 25 statements

Issued 50 news releases; answered approximately 2,300 new media inquiries

Published a corporate newsletter

Provided communications support for three task force reports on hours of work and overtime; mandatory retirement; vocational rehabilitation

Provided communications support for major policy initiatives for: greater protection for Ontario workers affected by layoffs and terminations; domestic employees; and occupational health and safety

Managed summer training program for journalism students placed with outside news media sponsors.

* *E. Smith was appointed director of appeals on November 2, 1987.*

# *Boards and Commissions*

## Ontario Labour Relations Board

**R.S. Abella**
**Chair**

**T.A. Inniss***
**Registrar**

The Ontario Labour Relations Board is a quasi-judicial independent tribunal responsible for the administration of the *Labour Relations Act*. Under this Act, the board:

Certifies trade unions as collective bargaining agents for employees

Appoints officers to mediate complaints of contraventions of the Act, conducts hearings into complaints that are not settled and grants remedial orders where it finds that the Act has been contravened

Issues directions and declarations where unlawful strikes and lock-outs have occurred

Settles jurisdictional disputes arising from assignment of work

Accredits employers' organizations and employer bargaining agencies in the construction industry

Certifies employee bargaining agencies in the construction industry

Conducts arbitration hearings arising from grievances under construction industry collective agreements

Terminates bargaining rights

Directs the settlement of a first collective agreement by arbitration

Arbitrates the settlement of a first collective agreement

Provides decisions for the minister relating to his authority to appoint conciliation officers or arbitrators.

In 1987/88 the board:

Received 3,583 new cases, an increase of six over 1986/87, including:

- 1,125 applications for certification
- 868 complaints of contravention of the Act
- 865 referrals of grievances under construction industry collective agreements.

Conducted 281 representation votes, an increase of 6.9 per cent over 1986/87

Assigned 2,230 cases to labour relations officers, who obtained settlements in 87 per cent of the assignments, an increase of two per cent over 1986/87

Reduced the number of cases awaiting decision over six months to .1 per cent of total case load

Increased the number of pre-hearing conferences chaired by adjudicators to further encourage settlement of disputes by the parties

Continued the implementation of an automated office and information system, including computerized case management.

Details of the activities of the board and its staff will be found in the board's 1987/88 annual report.

* *T.A. Innis was appointed registrar on February 1, 1988*

## Advisory Council on Occupational Health and Occupational Safety

**Dr. D.R. McCalla**
**Chairman**

**Dr. C.J. Tuohy**
**Vice-chairman**

The Advisory Council on Occupational Health and Occupational Safety advises the Minister of Labour on matters relating to occupational health and safety that may be brought to its attention or referred to it. Membership of the council is drawn from management, labour and technical or professional persons and the public who are concerned with and have knowledge of occupational health and safety.

During the 1987/88 fiscal year, council submitted six advisory memoranda to the minister dealing with:

- Biotechnology
- Mandatory post-exposure medical examinations
- Mandatory health surveillance

and with council's reviews of the process used by the ministry in the development of:

- A proposed amendment to the Regulation respecting Mercury
- A proposed designated substance regulation for silica in construction projects and aggregate production
- A proposed designated substance regulation for formaldehyde.

Also during the year, council established task forces to consider issues regarding occupational health and safety education and training, and small business, and will be reporting to the minister on these and other matters in the coming year.

Council's advisory memoranda, the minister's responses and other correspondence and information with respect to council's activities may be found in council's Tenth Annual Report.

## Workers' Compensation Board

**Robert G. Elgie, Q.C., M.D., F.R.C.S.(C)**
**Chairman**

The Workers' Compensation Board of Ontario, which operates out of 14 offices province-wide, including a Toronto head office, provides three fundamental services for Ontario's workers and employers. First, it adjudicates claims for work-related injuries and occupational diseases, and compensates workers for time lost from work and for permanent disability. Second, it furnishes injured workers with comprehensive health care and vocational rehabilitation services to assist in their recovery and return to gainful employment. Third, it pays for these services through the collection of funds from the province's employers.

During 1987/88, the board:

- Successfully implemented a major reorganization of its structure and operations in order to improve services to its clients and to streamline the way it does business
- Opened a fifth regional office in Ottawa and a prototype regional office in Windsor, resulting in a considerable increase in the volume of claims handled by regional offices
- Established a series of Integrated Service Units (ISUs) within the Toronto head office, bringing together the claims and health care adjudication, medical and vocational rehabilitation functions in eight small,

self-contained operation units, in order to provide more personal, responsive and efficient service to the board's clients

The year 1987 saw new claims across the province increase to 469,681. Of total claims:

44.6 per cent (209,255) were accepted as lost-time claims, involving time off work and compensation payments

47.2 per cent (221,729) were accepted as no-lost-time claims for accidents that necessitated health care treatment but no time off work beyond the day of the accident

6.3 per cent (29,570) were not accepted as claims in either category

1.9 per cent (9,127) were otherwise categorized (including withdrawn or pending claims)

During the year, the board:

Paid benefits totalling $1,463,509,000

Collected $1,932,203,000 in assessment income from the 196,000 employers in Ontario covered under Schedule 1 of the *Workers' Compensation Act*

Board vocational rehabilitation staff throughout Ontario were instrumental in:

Rehabilitating 6,156 injured workers during 1987

Returning 5,229 injured workers to work

Assisting 927 injured workers, who will not be returning to employment, in achieving financial self-sufficiency.

Further details of these developments, and of other board activities, may be found in the board's 1987 annual report, which covers the fiscal year ending December 31, 1987.

## Workers' Compensation Appeals Tribunal

**S. Ronald Ellis**
**Chairman**

The Workers' Compensation Appeals Tribunal (WCAT) is the final level of appeal to which workers and employers may bring Workers' Compensation Board (WCB) matters regarding entitlement to benefits, health care and vocational rehabilitation. It also decides appeals from WCB decisions on assessments, penalties and transfers of costs as well as disputes over employer access to workers' files and workers' objections to undergoing medical examinations requested by employers. In addition, the tribunal decides if a person has the right to sue in court instead of making a compensation claim. WCAT is an independent tribunal, separate and apart from WCB.

In 1987/88, the tribunal:

Issued Decision No. 915, on the subject of chronic pain (May 22, 1987). The decision was the culmination of the tribunal's Pension Assessment Appeals Leading Case strategy and followed 24 days of evidence and three days of submission from two parties, eight intervenors, the WCB and the tribunal's counsel

Trained 12 new full- or part-time panel members in hearings procedure and substantive legal and medical issues, and continued the education of existing members and staff

Held 1,215 hearings — 964 in Toronto and 251 in six regional centres around the province

Released 1,174 decisions, of which 278 were identified as significant, and disposed of another 585 cases without a hearing

Continued to increase its ability to provide services in the French language, receiving approval for its plan to implement the *French Language Services Act*

Continued to recognize an institutional responsibility to assist the employer and worker communities in understanding the tribunal's role and operation, and accepted invitations to speak at conferences and meetings and participate in seminars and workshops

Added 1,700 records to its library's vertical file data base and organized its collection of Canadian, U.S. and British court cases dealing with workers' compensation issues

Published the first volume of the *Reporter*, a journal of the tribunal's significant decisions

Installed a computer to provide an automated office and information system

Worked towards the development of the computerized Case Management Program, which will be implemented as a pilot project

## Industrial Disease Standards Panel

**Dr. James M. Ham**
**Chairman**

The Industrial Disease Standards Panel is a Schedule I Agency advising the Workers' Compensation Board of Ontario (WCB) on its investigations and findings of probable connection between disease and the workplace in the province, and on criteria and eligibility rules for the adjudication of claims for compensation respecting those industrial diseases.

In 1987/88, the panel:

Produced its Report of Findings on the relationship between occupational exposure to PCBs and various cancers. The panel:

- found a probable connection between liver, biliary tract and gall bladder cancers and occupational exposure to PCBs
- provided eligibility rules for the adjudication of claims respecting this industrial disease
- called for the establishment of a registry of PCB-exposed workers

Continued its review of the WCB's guidelines on lung cancer and Ontario uranium mining

Continued its study of the methodological issue referred to as the 'healthy worker effect'

Continued its study on the principles and procedures concerning the evaluation of claims for occupational diseases

Initiated a review of all the recommendations of the Royal Commission on Matters of Health and Safety Arising from the Use of

Asbestos in Ontario, concerning asbestos-related and other industrial diseases

Initiated a review of a reported excess incidence of cancer cases in a lamp-manufacturing plant

Continued its work to develop the panel's agenda, and:

- initiated a feasibility study concerning the development of an occupational cancer data base using the Ontario Cancer Registry
- is drafting a set of questions on occupational health, possibly to be included in the first Ontario Health Status Survey.

Details of the panel's activities during its second year may be found in its 1987/88 annual report to the minister.

# *Public Service Appeal Boards*

**T.E. Camacho***
**Acting Secretary**

The four statutory tribunals comprising the Public Service Appeal Boards function as independent quasi-judicial tribunals that oversee the labour relations of Ontario Crown employees.

## Ontario Public Service Labour Relations Tribunal

**P.C. Picher**
**Chairperson**

**T.E. Camacho****
**Acting Registrar**

The Ontario Public Service Labour Relations Tribunal administers the *Crown Employees Collective Bargaining Act*, and is empowered by the Act to appoint mediators and arbitrators and to adjudicate matters referred to it by government employers, employee organizations or employees, such as:

- representation rights
- unfair labour practices
- employee inclusion/exclusion from bargaining units

In 1987/88, the tribunal:

Established procedures for dealing more expeditiously with cases

Reduced the backlog of complaints and applications

Increased the use of labour relations officers to effect settlement of cases or reduce the issues in dispute.

* *T.E. Camacho was appointed acting secretary on February 1, 1988.*

***T.E. Camacho was appointed acting registrar on February 1, 1988.*

## Crown Employees Grievance Settlement Board

**O.B. Shime**
**Chairperson**

**T.E. Camacho***
**Acting Registrar**

The Crown Employees Grievance Settlement Board is an independent agency responsible for the resolution of collective agreement disputes between the employer, trade unions and employees. It reports to the legislature through the Minister of Labour.

In 1987/88, the board:

Established procedures for dealing more expeditiously with cases

Increased its capacity to hold cases in different locations

Reduced the backlog of grievances

Introduced a pre-hearing process (new cases scheduled for hearing are assigned to grievance settlement officers prior to the hearing date).

* *T.E. Camacho was appointed acting registrar on February 1, 1988.*

**Ontario Public Service Labour Relations Tribunal**
**Statistics on Applications**

| | 1987/88 | 1986/87 |
|---|---|---|
| Filed Before March 31 and Pending | 123 | 68 |
| Filed in Year | 103 | 46 |
| Appointments | | |
| Investigator | 52 | 34 |
| Mediator | 14 | 6 |
| Arbitrator | 8 | 2 |
| Disposition | | |
| Pending Before Investigator | 6 | 6 |
| Pending Before Arbitrator | 7 | 2 |
| Decision Issued/ Arbitrator | 3 | 1 |
| Decision Issued/ Tribunal | 45 | 42 |
| Awaiting Initial Hearing | 37 | 5 |
| Pending Before Tribunal in Hearing Stage | 32 | 28 |
| Pending Decision | 6 | 3 |

**Crown Employees Grievance Settlement Board**
**Statistics on Grievances**

| | 1987/88 | 1986/87 | Per Cent Increase |
|---|---|---|---|
| Carried Forward From Previous Fiscal Year | 3,821 | 2,224 | 72.0 |
| Filed in Year | | | |
| Dismissal | 70 | 106 | -34.0 |
| Classification* | 1,422 | 1,404 | 1.3 |
| Policy | 62 | 40 | 55.0 |
| Other | 1,059 | 1,223 | -13.4 |
| **Total** | 2,613 | 2,773 | -5.7 |
| Hearings Scheduled | 2,001 | 847 | 136.0 |
| Cases Settled | 1,740 | 979 | 77.7 |
| Actual Hearings Held | 558 | 294 | 90.0 |
| Decisions Issued | 323 | 197 | 64.0 |
| Cases Pending as of End of Fiscal Year | 4,371 ** | 3,821 | 14.4 |

* *Classification cases are not proceeding, by agreement of the parties.*

** *Of which, 2,766 are classification cases.*

## Public Service Grievance Board

**G.G. Brent**
**Chairperson**

**T.E. Camacho***
**Acting Secretary**

The Public Service Grievance Board operates pursuant to the *Public Service Act* and is responsible for the adjudication of grievances concerning non-bargaining unit employees involving such matters as dismissal, working conditions and terms of employment.

## Classification Rating Committees

**T.E. Camacho****
**Acting Secretary**

Classification Rating Committees are designated by the chairman of the Civil Service Commission. Pursuant to Regulation 881 under the *Public Service Act*, committees are appointed to adjudicate classification grievances concerning non-bargaining unit employees.

**Public Service Grievance Board**
**Statistics on Grievances**

| | 1987/88 | 1986/87 |
|---|---|---|
| Filed Before March 31 and Pending | 16 | 15 |
| Filed in Year | 24 | 15 |
| Settled or Withdrawn | 12 | 9 |
| Decisions Issued | 6 | 5 |
| Cases Pending as of March 31 | 22 | 16 |

**Classification Rating Committees**
**Statistics on Grievances**

| | 1987/88 | 1986/87 |
|---|---|---|
| Filed Before March 31 and Pending | 10 | 5 |
| Filed in Year | 10 | 11 |
| Settled or Withdrawn | 5 | 2 |
| Decisions Issued | 0 | 4 |
| Cases Pending as of March 31 | 15 | 10 |

* *T.E. Camacho was appointed acting secretary on February 1, 1988.*

** *T.E. Camacho was appointed acting secretary on February 1, 1988.*

## Pay Equity Commission

**Dr. George R. Podrebarac***
**Commissioner**

The Pay Equity Commission was created by Bill 154, the *Pay Equity Act*, which was proclaimed January 1, 1988.

The commission's mandate is to assist employers, employees and bargaining agents in achieving pay equity under the terms of the Act. As one of its first steps, the commission adopted the following Statement of Principles:

> Pay equity, by removing gender-bias from pay practices, will contribute not just to fairer and consequently more productive workplaces, but also to the creation of a society which treats women and men equally.
>
> Pay equity can be achieved. And it can best be achieved through the co-operation of those affected. The Pay Equity Commission will give these groups the support necessary to comply with Ontario's pay equity legislation: policy and research; information and education; and, if necessary, conciliation and appeal.

In accordance with the commission's overall strategy of achieving pay equity through self-management, great emphasis is placed on policy clarification and public education.

The commission consists of two parts: the Pay Equity Office and the Pay Equity Hearings Tribunal.

* *Dr. George R. Podrebarac was appointed commissioner on October 5, 1987.*

*Pay Equity Office*

The Pay Equity Office itself is divided into three branches: Policy and Research, Information and Education Services, and Review Services.

The Policy and Research Branch is responsible for clarifying policy, developing implementation guidelines and conducting research, including a study of predominantly female workplaces, which is to be tabled January 1989.

The Information and Education Services Branch is responsible for public education, including: an extensive publishing program, workshops, seminars, town hall meetings, mass media advertising, telephone counselling, public and media relations, and other outreach activities.

The Review Services Branch will offer conciliation and mediation services, if needed, to employers, employees and bargaining agents.

In addition to staff in the three branches, the commission has the services of legal counsel and specialists in compensation.

*Pay Equity Hearings Tribunal*

The Pay Equity Hearings Tribunal is an independent, quasi-judicial adjudicative body that will hear complaints and rule on appeals from affected groups. Chaired by Beth Symes, the tripartite tribunal consists of full-time and part-time vice-chairs as well as other members representing both employers and employees. All are appointed by the lieutenant-governor in council.

The tribunal will hear cases in panels of three: a member representing employers,

a member representing employees and a panel chair.

*1987/88 Activities of the Pay Equity Commission*

During the first few months of its existence, the commission's activities have included:

- Developing an organizational structure
- Locating and equipping its premises
- Recruiting and training professional and support staff
- Designing research programs
- Developing implementation guidelines
- Responding to more than 3,000 telephone inquiries from the public to the commission's information hotline counsellors
- Fulfilling dozens of requests for workshops, seminars and other presentations
- Launching a publications program, to include information kits, a newsletter and implementation guidelines
- Developing a 30-hour pay equity training course in conjunction with community colleges
- Planning town hall meetings, to take place across Ontario
- Developing a large mailing list to support a pro-active, outreach strategy
- Consulting with key stakeholders to further the commission's philosophy that self-management is the key to achieving implementation of the legislation. Focus groups have been used intensively to ensure that the commission's work is in tune with the needs of affected groups.

Details of the activities during its initial months will be found in the commission's 1988/89 annual report.